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# ORIENTAL HERALD,

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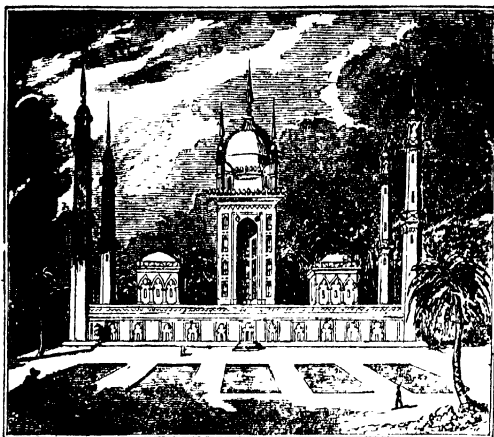
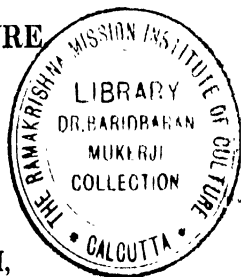
GENERAL LITERATURE

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VOL. VIII.

JANUARY TO MARCH,

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# THE ORIENTAL HERALD.

No. 25.—JANUARY 1826.—VOL. 8.

## ON THE BURNING OF HINDOO WIDOWS.

Nec minus uxores famâ celebrantur Eoræ :  
Non illæ lachrymis,—non femineo ululatu  
Fata virum plorant ; verum (miserabile dictu)  
Conscenduntque rogam, flammâque vorantur eadem !  
Nimirum credunt veterum sic posse maritum  
Ire ipsas comites, tædamque novare sub umbris.

It deeply concerns the character of the British nation to come to a just and a speedy decision, as to the possibility or impossibility of abolishing a practice which forms the darkest stain on the reputation of our empire in the East. We shall therefore offer no apology to our readers for again recurring to this important subject ; for while every day brings new victims<sup>1</sup> to the flaming pile, it is the duty of every one, who has the least spark of humanity or regard for the honour of his country, to omit no opportunity of calling upon his countrymen to put a stop to these horrors. Are *we alone*, of all civilized people, to continue usages that would disgrace the most savage barbarians ? While we boast of being the most enlightened and civilized of nations, should we not afford our Indian subjects the benefit of that mental superiority in the exercise of that power which we have usurped over them ? It would be some compensation for having deprived them of the power of self-government, if we were to employ our ascendancy to deliver them from the ferocious tyranny of a custom, which their degraded and darkened minds are too weak to shake off. But if we, who are completely beyond the sphere of that spell which binds them to their bloody rites, yet allow them to be practised under the sanction of our supreme authority, do we not incur a deeper share of responsibility than even the deluded wretches themselves, who think that to sacrifice the innocent is a meritorious service ? In performing these rites, so revolting to human nature, the infatuated Indian has the consolation of a false conscience, which tells him that, by a momentary pain, he is securing myriads of ages of future

<sup>1</sup> According to the last returns there are almost, on an average, two women burnt to death for every day in the year ; so that this Tophet of British India may be considered as never extinguished, but continually smoking with human sacrifices !

bliss in another world. But what is there to justify the Christian ruler who looks coolly on while deeds are perpetrated, which he knows to be equally abhorrent to God and man?

On such a subject there should be only one question asked: In what manner can this horrid practice be most speedily, safely, and effectually abolished? We use the word "safely," but must at the same time observe, that no trivial or ordinary danger would induce a great nation to tolerate the existence of such enormities in its dominions. Its first thought should be the necessity of wiping off the foul stigma; and the next, the expediency of taking every proper precaution to encounter boldly the consequences, whatever they might be. But, in a good cause, it should not start back at every shadow of alarm that crossed its path; exclaiming, like the sluggard, "there is a lion in the way." What excuse, then, shall we offer for the Government of British India in conniving at these abominations, while the most experienced persons in the country assure us they may at once be put an end to with perfect safety and facility? Such, in fact, are the assurances contained in the documents lately printed by Parliament; and although volumes upon volumes of similar evidence have already been laid before the public, more than enough to have set the matter at rest, an examination of this cannot be superfluous, while there are still some hearts (but those, unfortunately, of the ruling few,) shut against conviction.

Among the authorities against the practice it is highly satisfactory to be able to quote that of one of the most distinguished natives of India, who has risen so superior to the common prejudices of his countrymen, as to enter the lists boldly against them in the fair field of discussion. In a work, published by Rammohun Roy in 1818,<sup>2</sup> and then extensively circulated in the native language in those parts of the country where the practice of widow-burning is most prevalent, this learned Brahmin and ardent philanthropist has shown that the practice is not enjoined by the sacred books and lawgivers, which the Hindoos hold in highest reverence, but, on the contrary, repugnant to the fundamental doctrines and genuine principles of their faith. This position was of course warmly disputed by some advocates of female-immolation; but their arguments were refuted, and the point successfully established against them. We cannot enter into the particulars of this Brahminical controversy, which was conducted with a degree of subtlety and acuteness that would probably interest only theologians. The result, however, is highly important, as showing the very slender grounds which even the records of superstition furnish in support of a practice so contrary to reason. The author first appeals to the laws against suicide, which is forbidden by every slasher and race of men. He thus throws on his opponents the onus of proving that a suttee is excepted from the universal canon against self-destruction. He then refers to the rules laid down

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<sup>2</sup> Conference between an Advocate and an Opponent of the Practice of Burning Widows alive. Calcutta, 1818.

by their sacred lawgiver, Munoo, whose authority is paramount to all others; and who ordered that widows should *live* as ascetics, and thus merit final beatitude. Against this, the advocates of con cremation bring forward the testimony of certain inferior authorities, Hareet and Ungeica, who strongly recommend widows to ascend the funeral-pile, in order to attain an immense period of celestial bliss. In the papers before us, the advantages promised for it are summed up at page 198 :

The woman who thus purifies herself, by passing through the fire, is, say they,—1st. To become equal to Uronduttee, wife of the Rushce Vahishta, who is fixed in the heavens as a constellation by the side of her husband, translated as one of the stars of Ursa Major.—2d. To be great among the inhabitants of heaven.—3d. To live in happiness with her husband for so many heavenly years as she has hairs on her body, which are computed at three crores and a half, or thirty-five millions; a day of heaven, moreover, being equal to one mortal year.—4th. To have this enjoyment for fourteen indrees, (above three hundred millions of mortal years).—5th. To cleanse from sin her relations.—6th. To atone for her husband if he has injured a Brahmin or a friend.—7th. To be inseparable from her husband.—8th. To be rendered fit for absorption.—And 9th. To change her sex.

Not only are these apocryphal doctrines incompatible with the inviolable precepts of Munoo, who prescribes to the widow a life of asceticism, but they are opposed to the general spirit of the Veds. For, however vast in duration the enjoyment in heaven, promised as the reward of cremation, it is held to be immeasurably inferior to the state of eternal beatitude or absorption which is the reward of a holy life spent in good works, performed without the desire of procuring sensual gratification. According to the whole scope of the most sacred books of the Hindoos, works *without desire* of fruition are of the highest possible merit; whereas all rites and ceremonies, to which people are enticed by the hope of obtaining sensual enjoyment even in heaven, are perishable, worthless, and vain, and only followed by fools doomed to endless transmigrations. “Faith in God, (says the sacred text,) which leads to absorption, is one thing; and rites, which have future fruition for their object, another. The man, who, of these two, chooses faith, is blessed; but he, who, for the sake of reward, practises rites, is dashed away from the enjoyment of eternal beatitude.”

In short, it appears that the ritual ceremonies of the Hindoo religion were only intended by its authors for those persons who were too gross and ignorant to worship in spirit. They were accordingly enticed by sensual attractions, lest they should otherwise have lived without religion altogether. Those not able to attain the purer and better part, by leading a holy life, were *permitted* to occupy their minds with the baser substitute of ritual observances. Among the latter, the practice of female-immolation appears to have crept in after this manner: Vishnoo lays down this precept, that “after the death of her husband a woman shall become an ascetic, or ascend the fu-



neral-pile." Originally, some thousand years ago, this was probably nothing more than a form of expression, intended to impress strongly on the mind of the widow the indispensable duty of leading a virtuous life, by presenting to her so dreadful an alternative. The writer, who employed this ambiguous language, might confidently trust to nature and reason to interpret it correctly. The widow, to whom the option was presented, might or might not eventually follow the one course, but was placed under no obligation to adopt the other. Perhaps, however, some frantic woman, in the first phrenzy of grief for the loss of her husband, might throw herself upon his funeral-pile, and be consumed before the interposition of friends could save her. This heroic proof of devoted affection would be extolled till she was raised to the rank of a goddess and fixed among the stars. So glorious an example would naturally excite others to imitate it, till by degrees it grew up into a custom, and the ambiguous phraseology of Vishnoo was then interpreted as a religious sanction of the deed. Subsequent commentators, following the fanatical spirit of their age, heaped on it the most extravagant praises; and the body of the people, kept in darkness by the Brahmins, regarded it as a positive duty. But, fortunately, the ascendancy of priestcraft has been broken down by successive revolutions and invasions; and one of the most learned of the sacred order has himself turned against them, and done much to open the eyes of the multitude to their delusions. He has shown them that female-immolation is not a positive duty, and that the extravagant praises of it, and the promise of reward in the salvation of the woman's and her husband's progenitors, &c., are, according to the genuine principles of their own faith, mere lures held out to the ignorant. He adds this conclusive argument, addressing the advocate of con cremation: "If, in defiance of all the shasters, you maintain that such promises of reward are to be understood literally, and not merely as incitements, still there can be no occasion for so harsh a sacrifice, so painful to mind and body, as burning a person to death in order to save their lines of progenitors; for, by making an offering of *one ripe plantain* to Shivu, or a single flower of kurubeer either to Shivu or Vishnoo, thirty millions of lines of progenitors may be saved"!!!

Even admitting, however, these shasters, or modern religious books of apocryphal authority, (which have corrupted the purer principles of the ancients Veds,) the worst of them do not sanction female-immolation, *as now practised* in British India. For, according to them, the Hindoo ought to "enter the flaming pile," and perform the sacrifice in a manner entirely spontaneous and voluntary. Whereas now she is tied down, or built into the pile before it is kindled; so that when the fire is applied she cannot escape, but must perish, however much she struggle and pray for deliverance from this dreadful death. There has not appeared among the Hindoos any lawgiver, or any book of superstition, so atrocious as to sanction this infamous practice now suffered to exist under British rulers, and which is only paralleled by the bloody deeds of the fathers of the Inquisition. These religionists of the West have, indeed, acted on the principle of forcibly subjecting

their victims to slow and lingering tortures, as a punishment for their errors of opinion. But the Hindoo legislators, even of the worst class, have not gone farther than *permitting* their followers to immolate themselves under the delusive notion of seeking their own happiness. The very worst of them, we repeat, (for it is a fact that should not be forgotten,) have not sanctioned anything like force or compulsion being used on the unhappy victim, which the British rulers of India now suffer to be practised openly, in the face of day, at the very capital of their empire!

The report before us, which has been laid before Parliament, is in this respect entirely false and deceptive. It is there asserted, that the sacrifices were "voluntary;" that the widow was burnt "of her own accord;" of "her own *free* accord;" or, to make it stronger still, "of her own free will and accord;" and this falsehood is repeated over and over, without qualification, more than a dozen of times in every page. (pp. 42, 43, 46, 47, 49, &c.) Now, what is the fact, which these reporters know well, who disguise the enormity with such fallacious colouring? The widow is built into or fixed down upon the pile by means of weights, ropes, and levers, so as to be cut off from that retreat which her own superstition, dark and bloody as it is, has mercifully left open to her. The shasters have prescribed the rites by which, if she please to draw back, she may be restored to her family and caste, and her broken vow expiated. But this door of escape so provided, when nature should shrink back from the dreadful ordeal, the British Government has now suffered to be inhumanly shut against her. To deny this is impossible, as we have conversed with those on the spot who witnessed those horrid spectacles in the neighbourhood of Calcutta in 1822, the period to which this report refers. Their statements were published in the newspapers of that day, then allowed to state the truth, and they remained uncontradicted! But now, when the press is shackled, these infamous murders, without one mitigating circumstance, are represented to the British Parliament in the mild light of simple suicide, performed "voluntarily," with the victim's own *free* will and "free accord"!!

In fact, under the present system of concealment, the truth would hardly ever be known respecting this and most other things in India, but for the accidental presence of some Europeans, who force these atrocities upon the public attention, and then the authorities cannot avoid noticing them. The most horrid case detailed in these papers was one which occurred at Poonah, in September 1823. The woman, on feeling the torture of the fire, threw herself from the flames, and the European gentlemen present extinguished her burning clothes by plunging her in the water. She complained that the pile, from being badly constructed, consumed her so slowly that she could not endure the pain. When her inhuman relations saw her shrinking back from it, they laid hold of her and placed her upon it by force, and held her there, striking her with logs of wood, till they were driven away by the flames. She then escaped a second time, burst through her murderers, and, to assuage her torture, plunged herself into the

water, her skin being by this time almost entirely scorched off her body. On this, the miscreants tried to drown her, but were prevented, and the wretched woman, having lingered till next day, died in the hospital! But for the accidental presence of several English gentlemen, (Major Taylor, Lieuts. Morley, Apthorpe, Cooke, Swanson, Mr. Lloyd, and others,) who made it known through the newspapers, and attested the facts beyond dispute, this also would have been set down as a voluntary suttee, or perhaps never have been heard of at all. As it was, the evidence of the Native officers, who were present officially, went to prove, in contradiction to these six gentlemen, that the woman's continuance in the fire was perfectly spontaneous, and that she was saved from it against her will! After such a glaring fact, what reliance can be placed on these reports? Who can doubt that the Native officers of our Government are bribed to countenance, and justify by perjury, if necessary, these diabolical scenes? According to the evidence of Major Taylor, (p. 174,) and the other gentlemen above-named, these Native officers were the very persons who encouraged the murderers to proceed, otherwise the deed would not have been accomplished. When the gentlemen would have prevented it, they said "it was the custom to burn women when they attempted to escape;" and that the Brahmins "had permission from the collector, Sahib, to carry on the suttee." No one could venture to interrupt a murder committed under the sanction of such high authorities. Thus the presence of the police has a pernicious rather than a beneficial tendency, and the present mode of interference by licensing regular suttees, instead of preventing even irregular ones, is supposed to justify them all. At page 212, it is said, by a person who endeavoured to dissuade the Natives from the practice: "This permission of Government I found that the people most ignorantly and perversely abused; and at every stage of my argument with them, an appeal was made to the order of Government as a vindication of their conduct!! The people construe it into a direct approval of the dreadful act, and for a long time *Sircar ka kookum* seemed to be a triumphant answer to all my arguments."

Let us see what are the advantages of a regulation having so baneful a tendency. It professes to save widows who are under sixteen years of age, or who are pregnant, or Brahminees who are absent from their husbands at the time of their deaths, and in some few other cases; which, all put together, would not save perhaps one suttee in ten. For the sake of this one, the other nine receive a legal sanction strongly strengthening the practice, merely a little circumscribed. But these rules, which pretend to narrow the evil, are at the same time allowed to be violated with complete impunity. The perpetrators of the atrocious murder before mentioned at Poonah were tried and acquitted; because the shasters, or native law interpreters, declared that such deeds were customary. "The acts of which the court had found the prisoners guilty, (say they,) one of obstructing the egress from the fire, and the other of attempting to drown the suttee, are not mentioned in the shaster as crimes, therefore there can be no punishment!"

Neither are these acts specified in the law of England as crimes; but they, nevertheless, fall under the general denunciation pronounced by them, by the shasters, as well as by every divine and human code against the crime of murder. The interpreter added, "I have only learnt from common report, that it is usual to throw suttees into the fire, and to act towards them in the other ways adverted to by the court; but there is *no clear authority* in the shaster on the subject." On this opinion, which is as clear a condemnation as possible, a British court acquitted the murderers. p. 189.

In another case, (p. 80,) where a sister was sacrificed with the body of the deceased instead of a wife, the father was prosecuted for preparing and setting fire to the pile, and sentenced to seven years' imprisonment; but the highest judicial authorities in Bengal, to whom the case was ultimately referred, decided that there was nothing in the act to bring it within the charge of murder. What, then, is murder, if any female whatever, whether wife, or sister, or daughter, may be burnt to death innocently? In other cases, children of twelve, thirteen, fourteen, and fifteen years of age, (pp. 52, 60, 62, 108, &c.,) are sacrificed, although sixteen is declared to be the legal age; but still the murderers escape entirely, or are subjected merely to some slight punishment, as, a trifling fine or a few months' imprisonment, just enough to give them the merit of suffering for religion's sake. (p. 142.) In many cases the police-officers know nothing of the matter until it is over; and as the perpetrators are under no obligation to give previous intimation, they only do so when they wish to have the formal license and sanction of Government for their barbarity. It may be readily imagined that there are many instances which never come to the knowledge of the Government at all. In those that do reach it, almost every page of this report shows that the magistrates do not take the trouble to supply the necessary information. And the superior authorities show a disposition to connive at the practice rather than to put an end to it, from nothing else than a cowardly apprehension that it would be dangerous to interfere with any thing wearing the mask of religion.

\* Although the negligence of the judicial authorities, so often complained of in the present papers, (pp. 77, 78, 79, 80, 140, 141, 142, 143, 144, 145, &c.,) proves too strongly that long familiarity with these enormities is fatally reconciling many of the British rulers of India to the existence of the practice; yet all, whose feelings are not by habit steeled into indifference, vote for its immediate abolition. As the opinion of men who have had such opportunities of judging from experience of the Native character, is highly important, we shall here collect them together from these documents. Mr. Gordon Forbes, fourth Judge of the Calcutta Court of Circuit, (p. 19,) "expressed his concurrence in the opinion which he found to prevail among the judicial officers at the stations visited by him, 'that the practice of Hindoo women burning themselves on the funeral-piles of their deceased husbands, if prohibited by Government, might be effectually suppressed, *without apprehension of any serious obstacles.*'" On

this, Mr. Harrington, who has risen to the highest judicial dignity, and is now a Member of the Supreme Council in Bengal, says, (p. 20,) "I feel disposed to concur with Mr. Forbes, and the local judicial officers consulted by him, on the *facility* and *safety* with which a practice so repugnant to humanity may be suppressed by law, *if* it should be deemed *indispensably necessary*." Mr. Harrington then, however, (May 1822,) was more *disposed* to let it alone, or merely restrain what he calls the "murderous abuses" of it, or deviations from the regular practice; as if it were not itself wholly a "murderous abuse." He therefore proposed enacting a law to regulate the practice, by rendering it imperative on near relatives concerned in it, to give previous notice of an intended sacrifice to the magistrate, and to punish them if it were not licensed, or perfectly in rule. This had been proposed so far back as 1817; but the Government, although it had almost sanctioned it then, is still too timid in well-doing to carry even this half-measure into effect. Mr. Smith, second Judge of the Nizamut Adawlut, has on this subject pronounced an opinion, (p. 148,) which deserves to be recorded at full length, both on account of the high talents of its author, and the sentiments it contains, which, for firmness and dignity, are worthy of a British judge. His minute is as follows :—

The second Judge has, on a former occasion, expressed his opinion to Government, that the practice of suttee ought to be abolished, and that it may be abolished with perfect safety.

He cannot therefore subscribe to any instructions that have a tendency to modify, systematize, or legalize the usage, or that appear to regard a legal suttee as at all better than an illegal one.

He is convinced, that if this mode of issuing orders under the sanction of Government to regulate suttees is continued, the practice will take such deep root, under the authority of the supreme power of the country, that to eradicate it will become impossible.

He proposes, that all the existing circular orders regarding suttees be annulled; that no more reports on the subject be furnished, and that Regulation VIII. of 1799, be enforced against suttees, whether by the shaster legal or illegal; or if that law be deemed too severe for the present, let a milder law be framed, making it punishable by temporary imprisonment, to assist in any suttee whatever, whether by the shaster it be legal or illegal.

Should even this be deemed hazardous, it will be better to leave the Hindoos to themselves upon the subject, as being a rite which it would be disgraceful to us to countenance, and dangerous to our empire to forbid. The usage will be much more likely to fall into disuse, under a total neglect on the part of Government, than under the present system of attention and inquiry, which serves but to keep the feelings of the Hindoo population alive upon the point, and to give a sort of interest and celebrity to the sacrifice, which is in the highest degree favourable to its continuance and extension.

In this opinion, the third Judge, (J. T. Shakespear, Esq.,) concurs, and advises a regulation prohibiting suttees throughout the country. The fifth Judge, (W. B. Martin, Esq.,) is of the same opinion, that our present mode of interference has "a positively pernicious ten-

dency," and is convinced, that we ought either to abolish the practice at once, or let it alone altogether. The officiating Judge, (J. Ahmuty, Esq.,) is equally decided with Mr. Smith and Mr. Shakespear, that the proper course is to prohibit the practice at once, and make those concerned in it punishable by law; which is preferable, he thinks, to "having recourse to any partial or direct means to repress it gradually, even if such a result could be reasonably expected to ensue." Mr. Harrington, himself, the head of the court, was of the same opinion with the other Judges, as to the facility and propriety of abolition, provided attempts to regulate it proved ineffectual. "In such a state of things," says he, "I could not hesitate to adopt the opinion expressed by the second Judge of the Nizamut Adawlut, (Mr. C. Smith,) that the toleration of the practice of suttees is a reproach to our Government; and even now I am disposed to agree with him, that *the entire and immediate abolition of it would be attended with no sort of danger.*"

Mr. Melville, Magistrate at Ghazeepore, requested permission from his superiors to suppress the practice in that zillah, saying, "From what I have heard, I am inclined to think that the people would be *very well pleased* to have so good a reason, as an order of Government would afford, for entirely giving up the performance of the rite." Nothing is more natural than such a feeling: as then every female might claim the merit of having *intended* to sacrifice herself, without undergoing the pains and suffering. As this gentleman proposed to make a trial of the abolition, first, in a few districts where the practice was neither very frequent nor very rare; and then, guided by experience, to extend the interdiction by degrees to the rest; he thought Ghazeepore a proper place for an experiment. "Another reason," says he, "for commencing here is, that there are precedents for an interference, somewhat similar to the cases of Koorhs, Dhurnas, and Rajekoomars, killing their female children, prohibited by Regulation XXI. 1995. I never heard that any of these rules occasioned the slightest dissatisfaction." He adds, "I do not think any new rules or regulations upon the subject are requisite. Under the Mohammedan law, I conceive, any person aiding and abetting another in committing suicide, would be punishable: all I wish for, is, permission to carry into execution laws which have been hitherto dormant." So, the Mohammedan laws against murder became dormant under British rulers, who are solicited in vain to allow them to be enforced!!

Again, in the report from the division of Patna, the Magistrate, Mr. Lambert, says, (pp. 122, 148,) "From the inquiries that I have been able to make on the subject of suttees, during the last two years, I do not hesitate to offer an opinion, that in this district it would not be attended with *any dissatisfaction*, of a dangerous nature, if the Government should deem it proper to prohibit this lamentable custom altogether. It even appears to me that the inhabitants of the district generally, are prepared to hear of such a prohibition." In short, according to the reports before us, the testimony of the judicial

observers in the Bengal provinces is almost quite unanimous as to the safety and propriety of instant abolition.

Taking a view now of the evidence from the opposite side of India, Mr. Pelly, Magistrate of the Southern Concan, after stating, that what had been already done by the British Government regarding suttees, had given the practice "a stamp of illegality it never before possessed," he says, "I have already recorded it as my opinion, that if it were thought *desirable* to suppress the practice by coercion, it might *safely* and effectually be accomplished in the Southern Concan." Is it not "*desirable*," most humane magistrate, to put a stop to a system of infamous cruelty, when it can be done with "*safety*"? No! he thinks it better to suffer the practice to decline gradually through the "natural leaning of mankind to the will of those in power, combined with a steady but *not harsh discountenance* (rather than active interference in suppression) of these horrible sacrifices," "till in time they may altogether cease;" "though," he adds, "it must be confessed, that this is little more than mere speculation." On this mere speculation, every way improbable, he is willing to sanction a series of awful atrocities for ages to come, and would have us not even frown upon their authors, although they may be stopped with safety. This is a specimen of the humanity of an Indian ruler!

Captain Robertson, Collector of Poonah, states, (p. 167,) from his knowledge of the private sentiments of the best-educated Brahmins, that they are against the prevailing practice. Having, with a view to its suppression, summoned the most learned and leading shastrees (doctors of Hindoo law) to a conference on the subject, he states, that "before their arrival, I learnt that there was a strong party in my favour; and I expected no less, from my own knowledge of the sentiments of the best educated Brahmins as to suttees. The feeling, I might almost say, is general to stop them; and it was hinted to me, through various respectable channels, that although a show of discontent would be exhibited, an order of Government to prevent their continuance would be a *most palatable* measure." The result of the conference was, the general consent of the Natives that the funeral-pile should, in future, be constructed in such a manner as to leave the woman at perfect liberty to escape from it, should her resolution fail her; this being in accordance with the doctrines of the shasters, which agree, that if the woman suffer against her will, the sacrifice has no virtue in it, as an act performed by compulsion merits no reward either in earth or heaven. Few women, it was supposed, would venture to put their courage to so severe a test, when they must run the risk of disgracing themselves by failure. To discourage them the more from the hazardous attempt, it was settled that those who should make it and fail, were thenceforth to live as outcasts. Captain Robertson clogged the new regulation with this *wing*, (exceeding the Hindoo law itself in severity,) to reconcile the advocates of female sacrifice to the new mode of constructing the pile; this moral restraint forming some kind of substitute for the physical restraint taken away. Such a compromise with crime is

surely not a little disgraceful to a Christian Government. It is with truth observed, in the letter of the Bombay Council, (p. 195,) that "to compel a woman, who retracts after entering the pile, to live an outcast from society, on the outside of the limits of the inhabited towns and villages, is rather calculated to encourage than to check the practice." Such, however, is the regulation they have sanctioned to humour their murder-loving subjects; but a hope is held out, that after some years they may perhaps venture to mitigate this new aggravation of former cruelty. Defective as this measure is, there is every reason to believe, that if it were generally introduced, and the law were strictly enforced, that the sacrifice should only be performed in conformity with the rules of the shaster, the practice would be thereby very greatly diminished; (p. 204;) but the Government have not courage to do this much, unless with the entire concurrence of the ignorant bigots who violate the principles of their own faith. "We consider it expedient, (they say,) before sanctioning or rendering the order general, that it should be ascertained to be, not only conformable to the ancient shasters, but, in some degree, consonant to the present opinions of the people." (p. 163.) In another place, (p. 183,) the Bombay Government allows "general opinion or custom," in favour of a particular species of murder, to be a complete justification of the perpetrators.

In favour of the abolition of the practice, we shall only farther quote the opinion of Mr. T. Barnard, given in the 'Bombay Judicial Consultations' (p. 209). He says: "The circumstances under which the practice prevails, the classes interested therein, the number of instances, and the conduct of the community in their communications both with the magistrates and with each other on such occasions, as well as the impressions generally entertained, convince me that there are *few* cases in which *evil* would ensue from prohibition and coercive prevention;" and again, that he "apprehends *no harm* from preventing it even by force." He therefore proposes the establishment of a preventive system by means of the police, but dissuades the infliction of punishment on those who may elude its authority. This gentle remedy, too, the Indian Government has rejected. (p. 210.)

But while the most experienced magistrates in so many different provinces, and the highest judicial authorities in the country, concur so unanimously that the practice may be put an end to, without almost any danger whatever, (we might say with perfect safety,) who, it will be asked, are those that raise their voice for upholding a system so repugnant to reason and humanity? Where does this enormity find patrons and defenders to prolong its existence? In those high and mighty personages, Governors Elphinstone and Amherst! They who have erewhile distinguished themselves as the persecutors of freedom of opinion in the East, by arbitrarily banishing their fellow-subjects, are now earning fresh laurels as the champions of the glorious cause of female-immolation! Let us see, then, what are the weapons with which they bravely attempt to maintain this ancient fortress of superstition and barbarity, by others abandoned as un-



tenable. It is of importance to examine the reasons which they assign for setting up their opinion against the unanimous testimony of the best authorities, as to the safety of abolition. To begin with Ajax the less of Bombay, before we venture to encounter the mighty Telamon of Bengal, Mr. Elphinstone says in his *Minute*, (p. 184, subscribed to by Mr. Goodwin,) in reference to Captain Robertson's successful reform of the practice :

"It is certainly desirable to throw every impediment in the way of self-immolation that can be introduced consistently with the prejudices of the people; *but* we must not infer from the mere circumstance of their silence, that they are at all contented with our innovations. It is mentioned in the accompanying summary, that when the people of the Concan *thought* our Government did not approve of suttees, [fools that they were to think so!] they disclosed no feelings that led the gentlemen on the spot to think they were dissatisfied, yet at that time *the Deccan was filled* with their complaints. Similar measures were apprehended there, and many applications were made to me for satisfaction on that head."

This is an exact counterpart of his famous certificate to the unbounded popularity of the unpopular administration of the late John Adam, whose conduct "*every body*" praised, and whose praises "*nothing could exceed*," discussed on a former occasion.<sup>1</sup> Here, again, we have the same inconsistency of statement, and the same sweeping generalities of expression. "The Deccan was filled with complaints," but, wonderful to relate, the gentlemen on the spot did not hear the least whisper of dissatisfaction. Mr. Elphinstone alone professes to know what nobody else ever divined; but how could such information reach him, unless through the usual official channels? If their reports bear out the assertion, that the Deccan was "*filled* with complaints," why are they not presented to us? Reference is made to "an accompanying summary;" but where is that "summary," or on what authority does it rest? Are we to discard all the authentic evidence before us, resting on the official character of known individuals, and in direct opposition to it, on the authority of an unknown document, without name or title, believe that murmurings of discontent inundated the greater part of the Indian peninsula? Before we yield any credence to such a story, Mr. Elphinstone must favour us with the particulars of those applications to him in behalf of female sacrifices, upon which he professes to ground his opinion. And if, from a few instances of complaint, he be proved guilty (as we believe him to be) of using the extravagant hyperbole that complaints *filled the Deccan*, let him reflect that such a misrepresentation in his present high office must, by prolonging this atrocious practice, be the cause of infinitely more cruelty, and more murders, than if he were to perjure himself a thousand times in a court of justice to swear away the lives of his fellow-creatures,

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<sup>1</sup> Vide *Oriental Herald*, Vol. II. p. 521.

We come now to the reasons assigned by Lord Amherst (with the advice of his wise councillors, Sir Edward Paget and Mr. John Fendall,) for continuing the practice. They first complain (p. 7) of the difficulty of obtaining correct information as to Native modes of thinking and feeling, and consequently of legislating on such subjects. This is a highly-consistent complaint from those who, by putting down the press, have stopped up the only channel through which they could become acquainted with the undisguised feelings of their subjects. Having done this, they tell the Court of Directors, "You must be fully aware of the peculiar disadvantages under which your servants here must conduct their inquiries on such subjects." Undoubtedly, the court and the nation are fully convinced of the ignorance and incapacity of those who now govern India; and that this ignorance is the more culpable, because it is wilful, in those who extinguished in their dominions the light of truth. By an express law they prohibited discussions on religious subjects, which would have had a tendency to show what the Native feeling really was; and lest the ignorant and superstitious should be taught to despise and loathe their follies, Lord Amherst is (p. 154) "particularly anxious that all severity of remark should be avoided." They must not be told that these sacrifices are contrary to their religion, irrational, and inhuman; but, perhaps, the magistrates to whom these orders are addressed, may be allowed to call them "improper" and "unbecoming," or by some gentler epithet. By following this base course of cowardly acquiescence, it is easy for those who love darkness rather than light, to remain in ignorance, since the persons who would ascertain the truth are deterred from acting or speaking out. But is a ruler who chooses to shut his eyes against the truth, thereby relieved from the responsibility of all murders which his wilful ignorance suffers to be perpetrated?

Lord Amherst, however, takes upon him to say, that as "the well-meant, and zealous attempts of Europeans to dissuade from, and to discourage the performance of, the rite, would appear to have been almost uniformly unsuccessful," this fact "proves but too strongly that even the best-informed classes of the Hindoo population are not yet sufficiently enlightened to recognise the propriety of abolishing the rite." Now, in the first place, there are many cases of intended suttees having been successfully dissuaded by the Natives themselves: at page 122, seven instances are mentioned, and there have been numerous others. But if not one life had been saved by the persuasions of Europeans, or others, it would not prove that "the best-informed classes" are not prepared to abrogate the rite, unless it be taken for granted that the perpetrators of these sacrifices are the best-informed classes! This seems to be Lord Amherst's doctrine; and in the same paragraph he says: "Were we not guided by the sentiments which we happen to know exist *generally* among the *higher* classes of Natives, at the place most favourable for ascertaining their real sentiments, (we mean at the Presidency,) we should indeed almost despair of seeing the suppression of the practice." The "higher

classes," then, are disposed to put an end to it, but the "best-informed classes" are not; therefore the higher classes, the enemies of human sacrifices, are not, in Lord Amherst's opinion, the "best informed"! Rammohun Roy and his followers, who have laboured to convert their countrymen from their abominable superstitions, are set down among the ignorant; their publications are suppressed by authority; and then the Government, which patronises suttees, audaciously asserts, that it has the talents and learning of the Hindoos on its side. Judging from the castes of the victims, the great majority of them are Soodurs, or the lowest grade of the people; as shown by the latest returns for 1823, which are: "Brahmins, 234; Khytree, 35; Byse, 14; Soodurs, 292." Those of the first caste bear a large proportion, it is true; but as many of them are mendicant priests, or family gooroos, who live by superstition, it is to be expected that they should do every thing to encourage it in their own families. Among the Khytrees, however, or military caste, and the Bysee, or husbandmen, the most important professions in a nation, the practice, it appears, is almost extinct.

His Lordship's next reason for continuing the practice of human sacrifices, is, that "the plans recently adopted to encourage Native education, depend in no small degree for success on the scrupulous exclusion of all reference to religious subjects"! What connexion is there between the education of children and the burning of old women? The "scrupulous exclusion" should be in the plans themselves; which, however, is very far from being the case in regard to the system of instruction pursued by the Church Missionary and other societies, who have taken the lead in promoting Native education. As another apology for the practice, his Lordship says, we have "safely and quietly ascertained its extent, and guarded against violence being offered to the victims of it." His Lordship's gross ignorance of the country he undertakes to govern, can be the only excuse for a statement so entirely false. There is scarce one of the sixty millions under his rule but knows that violence or force is notoriously used upon the victims. Another ground alleged by his Lordship for non-interference, is, that the practice is declining of itself. We shall, therefore, submit the returns from the different districts:—

Years . . .	1817.	1818.	1819.	1820.	1821.	1822.	1823.
Calcutta Division . .	428	533	388	337	364	300	309
Cuttack . . . . .	14	11	33	33	28	28	31
Dacca Division . . .	52	58	55	51	52	45	40
Moorshedabad Division	42	30	25	21	12	22	13
Patna Division . . .	49	57	40	42	69	70	49
Bareilly Division . .	19	13	17	20	15	16	12
Benares Division . .	103	137	92	103	114	102	121
Total Bengal Presidency	707	839	650	607	651	583	575

There is evidently a great fluctuation, but no steady diminution; and taking the most favourable view of it, no such decrease as to present a hope of cessation for ages to come. To wait for such an event till the people become sufficiently enlightened as to give it up of themselves, is to wait till the waters of the Ganges flow by; since even in this country, not a century ago, the laws condemned innocent women to the flames under the charge of witchcraft; for which fictitious crime they would suffer still, as an occurrence of the present year proves, if the laws did not protect them from the mad fury of ignorance and superstition. And what have the rulers of India done to enlighten their subjects, (by bestowing on them a farthing a head yearly for education, and suppressing all freedom of discussion!) that there should not be the same need of using force there to repress by law the atrocities of superstition, as in England?

A grand reason assigned by Lord Amherst and Sir Edward Paget for non-interference is the following: (p. 7.)—"We have reason to believe, that in the eyes of the Natives the great redeeming point in our Government, the circumstance which reconciles them above all others to the manifold *inconveniences* of foreign rule, is the scrupulous regard we have paid to their customs and prejudices. It would be with extreme reluctance that we adopted any measures tending to unsettle the confidence thus reposed in us." They write this on the 3d of December, exactly a month after they had ordered the lamentable massacre of the 47th regiment of Native Infantry, many of them Brahmins, whose lives are sacred in the eyes of the Hindoos. While the blood of this holy tribe is yet reeking on the plains of Barrackpore, Sir Edward Paget and Lord Amherst assert: "We have scrupulously regarded the prejudices of our subjects." They think nothing of violating these prejudices by wholesale slaughter, or by hanging and gibbetting those, to touch a hair of whose heads the Hindoos regard as the most heinous and unexpiable of sacrileges, this being one of the most solemn doctrines of their faith. But with reason and humanity on their side, they cannot venture to contradict some inferior authorities by saving wretched females from a miserable death. They do not hesitate to appropriate to themselves the profits of the Hindoo temples, thus defrauding the Brahmins of the fruits of their superstition; but they see no profit in saving human victims from the flames; and here they have "a scrupulous regard to Native customs and prejudices."

In order to elude the force of the general concurrence of the judicial and magisterial reports, as to the safety and expediency of abolishing the practice, Lord Amherst says: (p. 153.) "To show how inconclusive such communications must be in satisfying Government, it is sufficient to remark, that the point which appears to be of more importance and delicacy than any other involved in the whole question, *viz.* the probable effect of any prohibitory measures on the Native army, has not hitherto been touched upon at all in any of the opinions which have been submitted to Government." Is not this a

proof that no man in his senses ever dreamt that the Native army would care any thing at all about the matter? But if reports respecting the opinions of the sepoys on this subject are wanted, they should be required from their officers, not from judges or magistrates, who have no opportunity of becoming acquainted with them.<sup>4</sup> This starting at a shadow, however, was extremely natural in one who was conscious that, within a few weeks, he had done a deed which the Native army may long remember to our sorrow. His Lordship would willingly compound with their outraged feelings for his slaughter of their comrades, by suffering them and their countrymen to go on murdering their mothers, wives, and daughters. Strange compromise this between a Christian despot and his heathen soldiery! but we believe the latter will regard the proffered terms with disdain. According to these returns, out of 575 suttees, only thirty-five belonged to the Khytree or military caste; or hardly one in sixteen; of these, not more than three appear to have been the widows of persons who had ever been connected with the army; lastly, not even one wife of a sepoy in our service! Whence, then, Lord Amherst's fright about the Native army, unless he felt conscious that he had already done too much to fill it with disaffection? Hence, his conclusion, (p. 154,) that "the actual state of our *external* relations and *internal* conditions, are such as to render it manifestly impolitic and inexpedient to interfere further at the present moment." His fright and terror, at the danger in which he had involved the state by his "external" wars and "internal" massacres, seem to have disordered his intellect, if we may judge from the passage which follows:

"In conformity with the desire of the Honourable Court of Directors, his Lordship in Council requests that the Court of Nizamut Adawlut will *prohibit any returns* being made from those districts where the practice has not been found to exist. Should *any case*, however, hereafter occur, it will of course be the duty of the magistrate to report it after the usual manner."

This, under date of the 3d of December, is surely a strong confirmation of the reports current in Calcutta, respecting the state of his Lordship's mind after the massacre of Barrackpore. If any person of less rank than a Governor-General were to talk so incoherently, it would be time for his friends to think of suing out a commission of lunacy. It is another lamentable proof of the small amount of wisdom by which the world is governed. In beholding the destiny of sixty millions of human beings consigned to such hands, we cannot help lamenting the unhappy fate of mankind,—continually plunged by their blind leaders into a deeper gulf of darkness and misery.

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<sup>4</sup> Unless some special cause be assigned why the army should be more attached to the rite than the body of the people; the one is a test of the other; and the opinion of the judicial authorities as to the safety of abolition, must therefore apply equally to both.

Having now given both sides of the question: on one side, Mr. Elphinstone, Lord Amherst, and then two or three other wise men of the East who have the honour of being their councillors; on the other, the concurring voice of the bulk of the learning, and talent, and experience in the Company's service; we shall briefly state our own reasons for believing that these horrid sacrifices might be abolished with ease and safety.

In the first place, who are the persons attached to this rite? They consist, for the most part, of the very lowest classes, and, in a great measure, of the very dregs of the people. If the report were drawn up properly, classifying them according to their income, rank, and profession, it would appear that a large proportion of them were mendicants, common labourers, the lowest kind of shopkeepers, and artisans or domestic servants. Are a few hundreds of such persons, it may be asked, to deprive us of our empire if we venture to punish their crimes?

Secondly, What proportion do they bear to the whole population? In Bengal, where the rite is most commonly practised, the number who burn, compared with those who do not burn, is little more than one in four hundred, (p. 11,) or six hundred out of two hundred and fifty thousand. But in other parts of India, where less frequent, it perhaps does not occur in one family out of a thousand. Is our Government so feeble that, with nine hundred and ninety-nine on our side, we cannot venture to reclaim the thousandth lost sheep to reason and humanity?

Thirdly, The portion of our subjects principally addicted to this practice are the natives of Bengal, who have ever bent in tame submission to the yoke of every conqueror, as stated in their late memorial to the King of England.<sup>5</sup> "Wanting vigour of body, and averse to active exertion, they remained, during the whole period of the Mohammedan conquest, faithful to the existing government, though their property was often plundered, their religion insulted, and their blood wantonly shed." But the British rulers dare not forbid them to murder one another, although its immense Native army is chiefly composed of men of the upper provinces, who hold the Bengalese in contempt; and it is a remarkable fact, that among the whole of two or three thousand sacrifices recorded in these papers, there does not appear to be more than two or three individuals who had ever been connected with the army. Even in these three cases we may be mistaken in supposing that the title *Havaldar* or *Holdar*, added to their names, implies that the husbands had once belonged to the military profession.

Fourthly, We have in many other instances, when it was thought necessary, violated the religious notions of the Hindoos with safety. The venerated Brahmins, whose lives they consider sacred from human hand, we have hanged up like dogs, and made their blood flow in abundance. We put a stop to the destruction of female infants in

<sup>5</sup> See *Oriental Herald*, Vol. V. p. 503.

Guzerat ; and at the other extremity of our dominions, the exposure of children to alligators at Gunga Saugor. The burying of women alive has also been interdicted with perfect success and safety. When all these things excited no commotion or disaffection, why should the interdiction of suttees be dreaded? On these, also, whatever restraints have been tried, have been received with quiet submission. Europeans, and others, urged by humanity, have, in many instances, saved the devoted victim ; but in no case that we ever heard of, has this interference been followed by the slightest insurrection or tumult. What mighty bug-bear is this, then, that makes us shrink back when honour and justice call upon us to act? With reason and humanity, and the great body of the people, an overwhelming majority in numbers and bravery, on our side, are we to be frightened into base acquiescence by a few mendicant priests and paupers, a wretched remnant of the most debased part of the population? Our Mohammedan predecessors, whom it is our boast to excel, set us an example which we ought to blush that we have not the virtue to follow. During their rule, they made female-immolation murder ; by which the practice was, in many provinces, abolished altogether ; and it appears to have survived in others, inereely through the corrupt connivance of the inferior officers. Consequently, by the "law and constitution of India," (as observed by a contemporary,) if that be Mohammedan, the practice is at this day illegal, and the dormant powers of the constitution only require to be revived and enforced, to put an end to it for ever. But Governors Amherst and Elphinstone have discovered that custom justifies crime. Because a set of persons have been used, for a long period, to commit murders with impunity, and have taken up the notion that it is right to do so, therefore they are to be treated as innocent. Did we reason in this way with respect to the Mahrattas and Pindarees, who, in like manner, from time immemorial, thought it honourable to follow the profession of plunder and bloodshed? It would not have been more disgraceful to seek safety, by becoming the allies of these bands of thieves and robbers, than to shelter gangs of murderers in our own territories, under the pretence, that it would endanger our power to put a stop to their nefarious trade. The priests and relatives who join in it, are actuated less by superstition, than by a cruel avarice to share the spoils of the slaughtered victim. And the East India Company is not ashamed to derive a portion of its revenue from the same polluted source. When the wretched mothers are to leave behind them infant children under three years of age, a written obligation (called a *moochulka*) is required from some one for their support, and this must be written on *stamped* paper—or, in other words, paper paying a tax to Government. The Honourable Company, after having secured this, authorize the mother to be thrown into the flames! (See p. 38.)

There is one light more under which this question ought to be viewed. The miserable situation of Hindoo females, after the death of their husbands, is, in reality, the strongest inducement to commit sui-

cide. From being the female head of the family, they fall at once into a state of wretched dependence on their sons and daughters-in-law, of whom they become drudges or slaves, and are treated with the utmost harshness and contumely. The Government may remedy this crying evil, without interfering with any religious practice. It may make a law, assigning every widow a sufficient maintenance proportionate to the means of the family, and independent of those who keep her now in a state of abject servility. Shall we be told here again, that Government cannot interfere with the rights of property, or the laws of succession?—although it has appropriated to itself nine-tenths of the net produce of the soil, and, in a few years, made a complete revolution of almost all the property throughout the country! As an example of the manner in which the Company's servants exert their power with respect to this unhappy race of widows, we shall merely instance the recent case of the Ranees of Burdwan. This, as is well known, is one of the largest zumeendaries now remaining in the Bengal provinces, a solitary residue of the princely possessions formerly enjoyed by many natives of India. On the death of the young Rajah, who had been put in possession, by his father, of very extensive property, his widows ought to have succeeded him, as his heirs, according to the Hindoo law. But their father-in-law opposed their claim, and through his vast wealth kept the matter in litigation, by means of bribery and false evidence, till the widows were reduced to despair. The extensive property being scattered over different zillahs and districts, some of the judges decided in favour of the widows, others against them; and the matter might be kept in suspense during their whole lives, by appeals from one court to another, and, latterly, to the King in Council. Seeing no hope of a termination to their troubles, and not having funds to prosecute their rights against the Rajah of Burdwan, in June 1824, they made a pathetic appeal to the Bengal Government, praying it to assign them the means of subsistence. In this document, a copy of which has reached us, they represent that,—

“When the judge of Hooghly, and the judges of the courts of appeal, and Sudder Dewanee, thought proper, by a summary decree, to deprive us of property to such vast amount, their legal knowledge or humanity might have suggested to them to make provision in the same summary way, that we should have left to us, at least, the means of keeping in life, which even the Hindoo law is never so cruel as to deny to poor widows. This being withheld, the wives of a Rajah, who was in the habit of spending a quarter of a lac of rupees (2,500*l.* sterling) every month, are reduced to such necessities, that they would be glad to barter all they have in the world for a few hundred rupees towards the subsistence of themselves and dependants.”

The humane rulers of British India did not deign to take the least notice of this pathetic appeal, but left the widows to starve, unless the Rajah himself had, through some compunctious visitings of nature, at last consented to allow them 600 rupees per mensem for their subsistence; a sum less than one per cent., it is said, of the monthly



value of the estates of which they are defrauded. They truly say, "While such is the miserable fate of Indian females, of even the highest rank, when they have the misfortune to survive their husbands, with what feelings of dismay must women of humbler circumstances look forward to the period when the death of their betrothed shall expose them to the sufferings and persecutions of widowhood; for to whom shall they look for relief, when persons so far their superiors despair of finding protection? And can we be surprised that Hindoo females are driven to seek death as the only refuge from their miseries?"

In conclusion, we shall simply notice the heartless apathy with which the Company's advocate in England, the '*Asiatic Journal*,' endeavours to turn away public attention from the subject. It affects to have a delicate loathing at a thing so "uninviting" and "disgusting," and says that its obtrusion upon public notice is contrary, forsooth, to good taste. To extract its own words:—

"So much has been said and written about this subject, that it has become extremely uninviting. Evils, though great and glaring, the remedies for which are difficult, or beset with danger, often cease gradually to be objects of abhorrence amongst the generality of mankind, and grow stale and displeasing. There is a disinclination in many minds to grapple with obstacles; men, accordingly, revolt with a sort of disgust, when such topics are *obtruded* as negro-slavery or self-immolation of Hindoo widows. With a full knowledge of this truth, we have too much *good taste* or *good policy* to inflict upon our readers more than a few facts and observations suggested and supplied by the volume referred to."

The traffickers in human flesh, in the East or West, may think it very fine to turn away with an affectation of dainty disgust from the abominations of which they are the authors or abettors. But we trust that the better portion of the British public—those who have not yet bowed down the knee to the Baal of iniquity and avarice—have not yet ceased to regard them and their systems with the abhorrence they deserve.

#### CŒUR DE LION'S ADIEU TO PALESTINE.

(From '*Friendship's Offering*.')

It needed not many arguments to convince Richard of the truth of his situation; and, indeed, after the burst of passion, he set him calmly down, and with gloomy looks, head depressed, and arms folded on his bosom, listened to the Archbishop's reasoning on the impossibility of his carrying on the crusade, when deserted by his companions.—*The Talisman*.

JERUSALEM ! for thee, for thee,  
 May I a King and warrior weep,  
 And other kings and warriors see,  
 Nor deem my lion-heart asleep ;—  
 He was a God who wept of old ;  
 Thou wert not then a heathen-fold !

Think not, to look on Syrian skies,  
For Moslem spoil, or gorgeous ease,  
I bade mine ancient bauner rise,  
And traversed earth, and braved the seas;—  
I have a realm as Eden fair,  
A thousand woods and streams are there.

*Thou* wert the lure!—Could I forget  
That men and angels, earth and heaven,  
Where now the scorner's foot is set,  
In peace had walked, in vengeance striven!  
Could I forget thy first estate?  
Could I forget thine after-fate?

I came—and there were with me fought  
Leaders as noble and as free,  
And many were the *swords* they brought,  
But not the soul that lived in me;  
They asked for spoil—I did but crave  
To free thy towers, or find a grave!

Oh! were the strength of yonder host  
But mine—were even my spirit theirs!  
Brief, brief should be the Moslem's boast,  
As brief the Christian's coward cares;—  
Yet on their towers the cross shall rise,  
And England's <sup>1</sup> lion guard the prize!

Adieu, adieu!—This is a dream  
No waking hour may render true;  
Leader and vassal homeward stream,  
I, too, must hence—adieu, adieu!—  
Must leave unreap'd this field of fame,  
A victor—but in will and name.

In every land the laurel grows,  
And many a wreath shall yet be mine,—  
But Judah's palm and Sharon's rose  
Are only pluck'd in Palestine;  
I dream of them and Kedron's rill;  
Alas! the spoiler guards them still!

Adieu, adieu!—In other days,  
When youthful minstrels sing of thee,  
Let this be *Cœur de Lion's* praise,—  
He left a throne to set thee free!  
Say that he strove till hope was o'er,  
And wept, when he could strive no more.

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<sup>1</sup> Alluding to the royal standard.

## ON THE AFFECTATION OF SINGULARITY.

THERE has in every age been a kind of tacit general consent between the ideas of all civilized nations that have flourished together. Slight shades of difference there always must be, but the main body of notions prevailing at any particular period, are cognate, and of similar complexion. And it is this general resemblance, a kind of family-likeness, between the ideas of contemporaries, which we denominate *the spirit of the age*, and every thing that is considerably different is regarded as affectation of singularity.

It has never, as far as we know, been decided exactly what degree of conformity to public opinions and manners a man's duty demands of him; or whether it be actually in his competence to submit to the spirit of the times. But however this may be, singularity, whether affected or not, is nearly always sure to prejudice an individual in the opinion of the world, the singular man being shunned as carefully, almost, as the bad man, with whom he is often confounded. People do not understand him. He is not one of themselves. The question is, does the world, in thus setting its face against an individual, act conformably to justice? If it does, all singular men, all authors of sects, all, in short, who disturb prevailing notions, or set established customs at defiance, are bad citizens.

The claims made upon the conformity of each individual by the generality, are very extensive. There is scarcely an office or an act of life, however retired or unimportant, for which fashion has not prescribed the mode. In an enlarged sense, all mankind perform the great functions of their being simultaneously, as an army goes through its evolutions. Day calls them from slumber, and night again oppresses them with oblivion, almost all together. They eat, dress, sleep, dream at nearly the same season of the day and night, as if they had entered into a contract to suffer, and to forget their miseries in company.

From this circumstance, a consequence of their nature, men learn to look in every predicament for conformity to the mode, and, when they find it not, or find it in a degree insufficient and inconsiderable, to feel irritation, anger, repugnance, or even antipathy and hatred. 'Tis no matter whether the hated singularity appear in great things or in small, for in either case it is understood equally to indicate a contempt for grey-headed reverend custom. If in great things, it is inferred that the delinquent must nourish his opinions with viperous designs against society, and have cast them in some forbidden infernal mould, hidden and unknown to honest well-meaning people. If in small, the world is provoked to find itself so little respected as to be set at nought for mere trifles. And thus, no person can with impunity presume to differ from the generality.

“We have proofs, indeed, before our eyes daily, in those striking ma-

nifestations of feeling which escape the multitude of man's deep-rooted inherent antipathy to strangeness of every kind. A long beard; a garment of unusual make, or of unusual colour; a dwarfish or a gigantic stature; odd-coloured eyes; extreme ugliness; excessive strength: all these call forth expressions of contempt or aversion. The reader who is familiar with London, must have observed a gentleman nearly eight feet high, walking about the streets in the dusk of the evening. As soon as his gigantic breast appears over the heads of the populace, every eye is turned up upon his countenance moving almost in a line with the lamps, which throw a brighter light upon it than reaches the faces below. They who see him for the first time, are pictures of gaping wonder; and the innumerable crowds, the seas of people through which this second Polypheme wades, not breast-deep, utter a murmur of envious ridicule, as they make way for him, and appear glad to get rid of the monster. But why should a man be laughed at because his head is nearer the clouds than that of any other person among a million? Is it a crime to be tall? Are men all in their hearts like Herod, who cut off his son's head because it overtopped his own?

Be this as it may, the majority of mankind experience, in the presence of every unaccustomed object, an uneasy feeling, which affects them indescribably. A mysterious sentiment that there is something wrong flutters, as it were, about their hearts, and by degrees becomes painful. And this sentiment always recurring as often as the irksome object is in sight, the more instinctive aversion to pain teaches them at length to shun the thing which they know by experience is sure to cause it.

There are men whose presence is painful. Not that we know any ill of them, or expect positively to receive any injury at their hands. What creates our dislike, and sometimes our apprehension of danger, is some peculiar bias of feature, or sinister expression, a kind of finger-post set up by nature at the doubtful cross-roads of human character. Every kind of singularity, therefore, in manners and appearances, has a tendency to disturb, more or less, the intercourse that should subsist between man and man, as it conveys an indication of contemptuous pride, or secret persuasion of superiority, offensive in all cases to our haughty self-love. Accordingly, all those who slide easily into the affections of men have a kind of natural dissimulation; a loose-jointed shifting countenance that adapts itself readily to the occasion; they become all things to all men; they lead their own passions about, muzzled like tame bears, to allure the passions of others. But this conduct does not necessarily imply moral turpitude; for John Hampden was remarkable for masking his own designs and opinions, that he might discover those of others; and Atticus valued himself on that urbanity and sweetness of disposition, which, with wonderful vicissitude, could accommodate itself in turns to the vanity of Cicero, the ambition of Cæsar, the truculent fierceness of Sylla, the peevish intolerable humour of Cæcilius, the coarseness of Antony, and the virtue and philosophic gravity of Brutus. Many persons now

living have all this Pomponian suavity of character, and put it out at similar interest.

As contemporaries seem designed to keep pace with each other in intellect, no less than in manners, every one who rushes on far beyond the ranks, or exhibits any very strong desire to do so, is naturally viewed from that moment with suspicion at least, if not with envy and aversion. His constitutional vigour and alacrity receive the name of affectation, and instead of being considered a great man, he is sometimes regarded as a mountebank. This has happened in our own age. When Mr. Bentham published his *Defence of Usury*, almost fifty years ago, he was treated as a visionary, and his notions were despised. Time went on, and in the course of thirty or forty years some few came up with Mr. Bentham's position, and found it no longer so absurd as it had appeared through the mists of distance. Meanwhile, the philosopher was stretching away before them, inventing and discovering, and still appearing in his new positions as ludicrous as in the matter of usury. When they overtake him again, they may again find him rational; and, meantime, he can wait.

The dexterity with which men throw an air of ridicule over whatever is new or extraordinary has been often remarked. It is the weapon of indolence. But nature has bestowed it upon man to enable him to defend himself against the pretensions of quackery and useless innovation. He employs it, however, against all novelties, and against all opinions, new or old, not in present vogue. Indeed, opinion, like Janus, has two faces, one fascinating and beautiful, which it always turns towards its worshipper; the other withered, wrinkled, deformed, odious, which we never see till we have dismissed it, or refused to hold converse with it. The example of the early Christian writers, for the most part newly escaped from the errors of Paganism, illustrates this; for, no sooner had they shaken off their allegiance to Jupiter, than the golden domes of Olympus were transformed in their imagination into wizards' dens, even while their garments were yet perfumed by the incense of the Pagan altar. And recently, in France, we have seen a striking instance of the mutability of opinion. From time immemorial, the Catholic religion had prevailed there; antiquity had made it venerable; it spoke to the hearts and imaginations of the people from a thousand sacred altars, and was propped by ceremonies and mysteries, and the law, and the early and almost ineradicable prejudices of the mind. The French people thought it a beautiful faith. Anon, came the new light of modern philosophy. Persecution fanned it into a blaze, and as it increased the fires of the altar waned, flickered, were extinguished, and lost in their own ashes. The French had now a beautiful philosophy, and Catholicism, viewed in its departing aspect, appeared a horrid and hateful monster. Times have again changed, and Catholicism, now amiable again, is taking peaceable possession of its ancient seats, and driving out its enemy by the most vigorous measures.

When public opinion is thus fluctuating, individuals have some difficulty to preserve themselves from the charge of singularity, to

which all such are obnoxious as maintain in these sudden changes a sober and steady mind. There are, however, but very few in any country entertaining thoughts and opinions that ought really to be termed singular. For, although there be nothing too absurd for men to believe conjointly with others, they dread to embrace even truth itself, if they are to embrace it alone, in silence and solitude. Men have always thought and believed in masses, under the standard of intellectual despots, in the same manner as they fight in masses beneath the banners of political despots. Throughout the whole earth, you may observe opinions and ideas, like swarms of bees, clustering together upon particular spots, or as if, like certain trees and plants, they were indigenous to the soil. So that it is no less natural in a Hindoo to believe in Krishna and Brahma, than it is for him to abstain from beef and to feed on rice. We grant that among the idolators of Hindostan and Tibet, individuals may sometimes be found who differ in many respects from the true orthodox believers. But were the creed of these heretics to be properly examined, it would be found to be nothing more than a remoter emanation from the national doctrine, refracted as it were from the peculiarities of some individual character. It is reserved for one man in many thousand years to plant a new root of opinion, created by his own solitary reflections. The lighter and more volatile spirits, for ever on the wing in search of novelty, are the first to receive the untried seeds, and to scatter them over the surface of society. In this process, the newest converts are esteemed the most honourable by the rising sect, for all teachers value docility more than prudence and circumspection.

But in whatever way we turn, we meet with proofs that all men have naturally a distrust of every thing that is singular and strange, even they who invent and propagate it. There would, indeed, be few founders of sects, and preachers of novel doctrines, if it were not that the human mind is always uneasy when it stands in any manner apart from the rest of the world. The solitude of opinion is not less insufferable than local solitude. We are aware that men colour, with the specious pretence of a love for truth, their inordinate zeal for the spread of their own opinions, and perhaps they are sometimes sincere; but, in general, men's eagerness to create imitators and make proselytes arises from the irksomeness of standing alone, or with few resembling them, and from the dread of that ridicule and antipathy which the world always casts on every departure from its received notions. Wise men once bowed down before Jupiter and Neptune, and felt no misgiving in their hearts while they worshipped, because millions bent the knee along with them. It would now be difficult, or, perhaps, impossible, to find a dozen persons in all Europe who could be persuaded to return to Paganism. Is it because every man in Europe is wiser than Homer or Ulysses? We fear not. Millions of them believe that the deity may be transmuted into a slice of bread, and, under that shape, eaten. They see no absurdity in that. None at all. But, tell them that the God of the Pagans was omnipotent and wise, and neither slumbered nor slept, and add

that his name was Jupiter, or Zeus, or Mithra, or Osiris, and they will laugh at you. They know no such God, and will inform you that the *world* is now grown wiser than to worship *idols*. Is it? Are the Chinese, (themselves more numerous than all the Christians upon the earth,) the Hindoos, the Tartars, the Malays, the thousand tribes of Africa, the aboriginal Americans, the millions scattered over the Eastern Ocean, and even the Laplanders of Europe; are all these grown too wise to be every whit as idolatrous as the Greeks and Romans? No! but Jupiter has had his day, and Brahma and the Fetiches will have theirs.

Of all men living, your true proselyte-maker is the most disagreeable companion. Every thing you can say or do ministers occasion to his zeal. He reads "sermons in stones," and from all he sees draws matter for his converting vein. It is his hobby-horse. There is philanthropy, however, as well as greatness of mind, in conforming with prevailing customs and prejudices unconquerable, so long as they are indifferent as to vice or virtue. For all opposition ruffles the tranquillity of life; and love for our species should dispose us, unless when political rights are concerned, to fall in with the customs and observances of our country, that we may give our neighbours the pleasure, however small, of our countenance and fellowship. Little-ness of mind, and intemperate zeal, its usual concomitant, are incapable of this forbearance. They subsist upon strife and contention. A zealot, possessed by peculiar notions, whether good or bad, could no more contain his budget of singularities, than a thunder-cloud the lightning. He keeps his opinions in edge by wounding the feelings of his neighbour with them. He travels from occasion to occasion, like an Irish pedlar with his linen; calls at the door of every man's mind, vending here an ell, and there a piece, of his precious merchandise. He does not manufacture opinions for his own wear, but to sell. Like a gossiping woman, his mind is never so unhappy as when confined at home. The breath of his nostrils is argument; his delight, to see the harmless prejudices of his fellow-creatures impaled upon the points of his wit. He praises knowledge, and has respect for truth in his mouth, but knows well, all the while, that ignorance is the only field in which he can hope to reap reputation. All restless sophists of this kind would rather find mankind a blind herd, weary of their old conductors, but ready to follow in any direction the footsteps of new ones, than to see the scales fall from their eyes, leaving them in possession of a degree of light in which every man might see his own way.

The old proverb, "birds of a feather flock together," is a philosophical axiom. Men love every thing that is like themselves, and in general hate whatever is different. Among cannibals it must be a heinous sin against the mode, to abstain from dining off a man's leg or arm, and to prefer a slice of bread-fruit, and the chine of a wild boar. Anthropophagites hate singularity like other people.

But it is not until society has reached a certain point, that men affect to differ by some fantastical peculiarity from the rest of the world. While man continues in the condition of a savage he has so

many things to rouse and excite him, that he stands in no need of affectation. He struggles with the force of wild beasts by day, and at night is often kept awake by their howling and roaring round his hut. The wolf and the lion lie in his morning walk, the alligator lurks in his bathing place, the eagle or the condor hovers over his cot to pounce, as soon as he turns his back, upon his kid or his child. His passions never slumber. Terror and revenge roll over his mind by turns, as the war-whoop of his enemy bursts on his defenceless hiding-place, or as he himself dashes his tomahawk into the brains of his foe.

The highly civilized and polished man has for the most part to contend with no enemies but his own *ennui* and vacancy of thought. Art has made the world smooth and uniform for him; and nature has so far lost her power over him that he almost forgets her existence. Art is every where, and does every thing. He sees her issue from his cities, and lead her highways and her canals over plain and mountain. The whole face of the country is hers. By degrees all his feelings grow to be artificial. The roughness and the energy of nature are lost; and from a being almost wholly moulded of passion and power, he dwindles into a thing of fancies and conceits, trembles at phantoms and chimeras, is sad or mirthful according to the colour of his dreams, and learns, at length, to make his happiness depend entirely on that army of politicians, preachers, writers, actors, heretics, enthusiasts, &c., who undertake to cause a succession of ideas to pass through his imagination like landscapes through a camera obscura.

Then it is that, like the ancient king, he holds out the hope of extravagant rewards to the inventors of new pleasures, and that the mines of imagination and the stores of nature are ransacked for excitement. In this state of things, and as a novel variety, affectation of singularity springs up. And sometimes it succeeds. But, being a commodity that must be used immediately, its manufacturers are ruined if they bring it not to market at the critical moment, for it will not keep.

By well-timing his extravagances, however, almost any person might acquire a certain sort of reputation. Eratostratus,

Th' aspiring youth that fired th' Ephesian dome!

immortalized his name by tossing his lighted torch into the combustible part of a temple. Elwes will long be remembered by mankind, because he had a very close pocket, and dined on a bit of dry bread or a boiled egg, while he might have sat down to the costliest dainties. And, then, think of Ravallac and Damien:—*assassins!* but nevertheless chronicled by fame.

Cleopatra, and Ninon, and Diana of Poitiers, with hundreds of their like, have fastened their names on the page of history, because they understood the theory of lust and voluptuousness more perfectly than other courtizans. Why are Phryne, and Lais, and Laisia, and Flora, remembered? Why are their names more familiar to men's



tongues than those of Bacon and Newton? Is it because one of them endeared herself to Demetrius Poliorcetes, and another to Pompey, by her amorous bites? And because the others did things equally worthy of fame? Barely to be known to posterity, no matter for what, is a poor ambition. Swedenborg, Jacob Böhmen, and Johanna Southcote, are as sure to be in some degree known to posterity, as St. Pachomius and St. Anthony, as fanatical and as silly to the full, are known to this age. So will Madame Krudener and Mr. Carlile. In reality, nature appears to produce such persons, as she produces dwarfs and wittols, merely to diversify life, and to add to the catalogue of human amusements. And the public use them, perhaps unwittingly, as the Romans did their gladiators, encouraging them by looking on, to pierce each other by railing and invective, and to wield in turn the sophist's net, to entangle the weapons of their assailants.

But, although singularity, as well as the affectation of it, is in general disagreeable to mankind, they have always shown a disposition to admire it, under the name of originality, in the character and productions of the mind. When nature imprints any peculiar features on the intellect of an individual, she always takes care so to harmonize them with each other, that they appear rather the marks of a new species than of a monstrous singularity. And, therefore, real originality is pleasing, as the common experience of life sufficiently proves. We all occasionally make new acquaintances, and if we observe the conduct of our minds at such seasons, we shall discover curiosity, restlessness, anxious, busy to find some opening into the character, like a nesting-swallow fluttering about the eaves of a barn. But in most cases, no sooner has it scaled the outworks, and had time to look about it, than it turns back discouraged at the dreary appearance of the interior, which is the cause of so many short-lived friendships, as we see die before us daily. Not so when there is originality. Then we love the prospect that opens upon us, and are never tired with expatiating among its beauties. Indeed most men are sensible to the delight of pitching upon a man who really has a distinct character of his own; who nurses and prunes his ideas after his own fashion, as if he had received a patent from nature to preserve his method and management to himself.

Original ideas are in fact the proper dress of the aristocracy of intellect, which distinguishes them from the vulgar, as the rich brocade, and cloth of gold, and embroidered vests of our ancestors marked gentility of blood. But even this dress may be imitated. For as cunning contrives very often to carry the appearance of wisdom, so servility succeeds at times, by cautious thieving, in decking itself with the badges of genius. And of all the distinctive marks of mental power, singularity of manner is the most easily put on. But this distinction is quickly lost by diffusion; the secret soon transpires that it is an imitable quality; shoals of imitators arise, and the natural, or at least peculiar, manner of one great man serves to disguise the barren mediocrity of a thousand. This has been illustrated in our times by Lord Byron and his innumerable mimics. His Lordship possessed un-

doubted genius of a very high order; but his manner of displaying it was not quite free from affectation and quackery. Every man, therefore, ambitious of resembling this new Hercules, assumed his club and lion's skin, and hoped to be mistaken, if not for the real hero himself, at least for his equal.

All originality of mind, as we have said before, is singularity; but while it keeps within the circle that bounds the ideas of the age, though beating constantly about the extreme circumference, it is relished and admired. It is only when it flies beyond the central attraction of fashion, and revolves in another orbit, that it becomes an object of distrust and fear, or, at least, of neglect, to the rest of mankind. But even should a man be carried by the force or natural tendency of his mind, to this remoteness from popular ideas, he might still, perhaps, by caution and art preserve a resemblance to them in his productions, as the farthest visible star is clothed with the same kind of brightness as encircles the head of Sirius or Orion.

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THE MOTHER'S ADDRESS TO HER DYING CHILD.

I.

SLEEP, oh! sleep, my hapless child!  
The sun hath set, the storm is near,  
Our way is desolate and wild;  
My babe! it is for *thee* I fear,  
For what to *me* is pain or woe!  
All evils that the world can give,  
Have lighted on my burning brain,  
And yet, my babe, for *thee* I live!

II.

Sleep, oh! sleep, my helpless boy!  
Forgetfulness is not for me,  
It were too sweet, too great a joy;—  
A little while and thou shalt be  
Cold in a sleep more still than now  
Lies heavy on thy wasted brow;  
And I—oh! then, I'll sleep with thee!

III.

But there are bright and tranquil skies  
Above yon storm of cloud and gloom,  
Where spotless souls like thine shall rise;  
There, in a cherub's deathless bloom,  
Thine innocence, at Mercy's throne,  
Will plead for a deluded one,  
And mitigate thy Mother's doom.

BERNARD WYCLIFFE.

THE "HONOURABLE" JOHN ADAM, AND THE ASIATIC  
JOURNAL.

Mendax most gravely tells us that a lie  
He holds to be a foul deformity.  
He lies in this :—for he so often lies,  
That lying must be graceful in his eyes.

IN opening the 'Asiatic Journal' for November last, this epigram was the first thing that caught our eye; and although we have long been sufficiently familiar with the total disregard of truth manifested by the writers of panegyrics on little "great men," who every now and then figure in its officially patronised pages, yet we were hardly prepared for so perfect an illustration of the epigram in question—as that which we so soon after found in the leading article of the same Number, under the head of "THE HONOURABLE JOHN ADAM." At every page of that laboured and reckless eulogium, the epigram appeared to dance before our eyes, and the image of "Ferdinand Mendez Pinto," the true type of this Oriental Mendax, was always present to our imagination. 391.

But the mistaken and unhappy being whom this injudicious and unprincipled eulogist, with an utter disregard of truth or even decent consistency, would make appear a very demi-god, had just gone to his last account with all his unatoned sins upon his head, and we were willing, in deference to the general though pernicious prejudices of humanity, to tread but lightly on the new-made grave. We therefore abstained from any immediate denunciation of the servile flatterer who had prostituted the name of reason and truth by attempting, under this assumed disguise, to hold a weak and heartless oppressor up to the world as a man scarcely less than the very essence of perfection,—to exhibit to the stupid gaze of the ignorant and bigotted many, who are habitual admirers of all that appears before them clothed in the robes of rank and power, an individual pitied by a large number, but despised by many more,—as the very envy of all his contemporary competitors for public fame, and the idol of affectionate regard among all to whom he was ever privately and personally known. It may serve the immediate purpose of these panderers to wealth and power, thus to debase themselves in order to attain their ends; and they know that for a time, at least, the mistaken or affected sympathies of mankind will weep tears over the graves of the most undeserving, revering the memories of the guilty dead, and reserving all their indignation for the suspected living. But that time, fortunately, has its limits: and we have not always to wait for posterity to pass a bold but honest judgment on the character of public men.

The name of Mr. Adam, however much it might have been honoured in times gone by, (and what tyrant, whether dead or living, did not *begin his career* with a promise of better things?) is now asso-

ciated, in the minds of the people of England as well as of those of his countrymen and fellow-subjects in India, with more of individual oppression, and extensively injurious despotism, crowded into the short space of a month of perfect peace and prosperity, than his predecessor had found it necessary even to sanction in the course of a trying and difficult period of many years of war and general commotion; with more of imbecility and absurdity, in the manifesto published by him in defence of one only of his measures during that brief and tranquil period, than is to be found in all the books written by any Governor that ever preceded him; and with more of public neglect and disapprobation in the abortive attempts made to get up an address to him when leaving India, than was ever before manifested by any man holding the same offices with himself, in that all-addressing and ever-eulogising country.

And yet this man, whose brief career of a few weeks was marked by such tyranny, such imbecility, and such public scorn, is now exhibited, by the slavish sycophant of the East India Company's official journal, as a paragon of public virtue and of private worth! as one in whom the elements of all excellence were so united, that we never can expect to see his like again!

It is not because we attach any undue importance to the personal character of this or any other public man, that we condemn in such strong but deservedly pointed language, the perverse mis-statements of their biographers. It must be immaterial to the world at large, and to posterity more especially, whether a certain persecutor of his fellow-countrymen, and an oppressor of those over whom he was elevated to rule, was born in the one division of an empire or the other, whether he was handsome or deformed, charitable or avaricious, accomplished or ignorant; for he might have been all that is favourable among these, and yet a disgrace to humanity. But it is of importance to the truth of history, that deeds of cruelty and injustice should not be varnished over in such a manner as to change their odious hue for a flowery surface and golden colours. It is of importance to the claims of justice and the progress of sound morality, that men who have been execrated for their bad deeds, should not be represented as receiving homage for these very acts, from all those by whom they were surrounded, while they were passing. It is, in short, of the utmost consequence to mankind, that arbitrary and uncontrolled despotism, though irresponsible to the subject-millions among whom the actor is playing his fantastic tricks, should not escape the severest condemnation from all independent men; if only that other despots may be made to feel that the most servile and extravagant flattery of those by whom they are immediately surrounded, will not avail them when judgment comes to be pronounced upon their career by others. It is with these views alone, that we enter into an analysis of the fulsome and extravagant panegyric which fills the chief portion of the '*Asiatic Journal*' already named.

To begin at the beginning, this individual is introduced to the reader's notice under the title of "Honourable," no doubt with a view

to awaken, at the first line, the sympathies of all those persons of shallow understandings, to whom so imposing an epithet conveys the most fallacious associations, and is too often sufficient, without any other auxiliary, to command their immediate reverence and regard. But even this empty and unmeaning title is not his right; because he is not the son of a nobleman, to whose offspring it alone belongs, when unconnected with place. The East India Company's Governors, and the members of their councils, at the several Presidencies, do *take* the title of "Honourable" on their accession to office, although it is not to be found in the commission which they receive from their equally "Honourable" masters, neither is it bestowed on them, at any time, by the only fountain of these distinctions acknowledged as legitimate in England. The practice, however, even among these "Honourables" themselves, in the very country where they assume and wear this title, is to add the word "Esquire" *after* the name, in all cases, except where the individual derives the distinctive appellation from his birth. But even this qualified and merely official degree of "Honourableness" would be incorrect as applied to Mr. Adam, since he had not only quitted his place, but actually resigned the service on leaving India; and it would be just as proper to address Mr. Edmonstone, Mr. Stuart, Mr. Ricketts, or any other of the former members of the Bengal Council, now dwindled down into private individuals, and jostled by an English crowd—as "Honourables;" or, indeed, all the "unwashed artificers" who swell the triumphant majorities at the India House Court, by the open and avowed prostitution of their votes, because the Directors, who profit by the corruption, flatter *them* too with the title of "Honourable Proprietors," and solicit the "honour" of their vote and interest through every dirty lane and alley of Wapping and Blackwall.

Leaving the doubtful application of this unmeaning term to the decision of those who think it worth a dispute, we pass on to the narrative; in the third paragraph of which, we find it stated as a matter of great praise, that Mr. Adam, in 1809, fifteen years after his entering the service, was appointed by Lord Minto secretary to Government in the military department,—"*an office*," says his biographer, (in all that interesting simplicity which nothing but a perfect ignorance of the subject treated of could have suggested,) "*which required the qualifications of a thorough man of business, which he possessed in an eminent degree.*" The cloven foot of the writer is shown by this single paragraph. At the India House, where ex-governors and statesmen, on first entering the Direction, are made to act in committees of warehouses, buying and selling freight, shipping, and tea and indigo sales, while ship-captains, who have gone through these gradations, regulate all the most important affairs of their Indian empire, civil, military, judicial, medical, and even ecclesiastical, it is natural enough that "*a thorough man of business*" should be the highest qualification thought of, and that this should be deemed sufficient to fit a man for any thing, from selling gums and spices by inch of candle, to making laws for a hundred

million of men, of whose very language he is ignorant. Any other person, however, not "trained to these official habits," (as the writer has it in a preceding page,) "by the sedulous discharge of minor duties," which he evidently deems the highest virtue in a professed servant, would have thought that the office of war-secretary, in a country always either engaged in perpetual hostilities or preparing to expect them, required something more than the mere habits of "a thorough man of business" to fit him for his post. That Mr. Adam possessed this humble qualification, and could "devote himself," as his biographer assures us, "without any sensation of fatigue or disgust to the *dullest* accumulation of uninteresting details," we have no doubt. But it is the first time that we ever heard (and we are sure it will be as new to all ears in India as to our own) that Mr. Adam had any military knowledge whatever, or was at all relied on by the Commander-in-Chief, as an organ of any thing beyond the mere transcribing his superior's thoughts, and communicating them to others through the usual channels.

If, instead of commencing and continuing to the end in one unvarying strain of panegyric, labouring to prove Mr. Adam what most of those who see the article in question will know he was not, and which, therefore, by its very extravagance defeats its own end; the writer had specified the particular instances of his valuable assistance to the military commander, and given the instances in which he showed himself to possess "the intelligent mind which could discriminate the sound from the fallacious," it would have been of some value. But, with the freest access to all the records of Government at the India House, where there are so many of Mr. Adam's friends and relations to give every facility, and even to assist in the research, three instances of particular measures are given, every one of which deserves censure rather than praise, as will be hereafter shown, though they are evidently selected as among those most calculated to do him honour. The first was, his depriving all his fellow-countrymen and fellow-subjects of the free expression of their thoughts, and reducing them to the condition of the most abject mental slavery: the second, the plunder of an honourable and useful mercantile establishment at Hyderabad, the forced bankruptcy of the firm, and the banishment without trial of its members: and the third, which is left till the last to be recited, as if to give strength and dignity to the whole, was the ungenerous exclusion of the illegitimate offspring of the civil and military servants (as numerous nearly as the legitimate offspring in India) from the benefits of a fund raised for the support of *all* their orphan children!!

These are the mighty trophies to Mr. Adam's enlarged views, excellent understanding, and benevolent disposition, reared from out of the materials of thirty years' records, ransacked for the purpose of praising him! Had the writer, to whom this task of his biography was assigned, been either a clear-sighted or an independent man, his access to these documents might have given him the finest opportunity to do justice to the dead. But he has chosen the more easy

task of indiscriminate eulogy; and after lavishing his praises on the most trifling acts and qualifications, such indeed as the most ordinary men could equally well perform and display; after insinuating that the chief merit of all that was done during Lord Hastings's administration, whether civil or military, was more Mr. Adam's than his Lordship's; he appeals to folios of official papers, which he knows no one will read, and then asserts, that these folios "justify the challenge, that Mr. Adam's merits in this capacity will not shrink from a comparison with *the very highest* grade of qualification of which an Indian history can furnish an example!"

The strain of never-tiring eulogy in which the writer proceeds, from first to last, reminds us of the "Eloges" which, in the golden age of absolute monarchy, were so pompously pronounced in France over the graves of *all* great men; and thus, from their very universality and total want of discrimination, neutralizing their own effect, and becoming mere matters of course, which left no impression on the hearers. In Mr. Adam, there was, according to his biographer, no weakness, no alloy: he was all purity and perfection; subject to none of the common feelings of humanity, and physically, as well as morally, superior to all that ever went before him, or all that can ever hope to follow. His career, if his flatterer is to be believed, was one unbroken series of triumphs: he was great, distinguished, and illustrious, from the moment of his official birth to that of his death: always right—never, for a moment, wrong—and not merely always distinguished, but always indebted to superior *merit* alone, for his rapid advancement in the service of which he was a member. His biographer would have the reader believe that Mr. Adam derived no aid from the adventitious circumstance of his father's private intercourse with royalty, and public relations with all men of all parties; from his uncle's station as frequent chairman and permanent chief of one of the two parties at the India House; or from his cousin's seat in the Direction, and the multiplied connexions of various branches of the family, by birth or marriage, with most of the leading characters of the time. All these advantages were, in Mr. Adam's case, if his eulogist is to be believed, perfectly powerless. But though it may gratify the ears of sorrowing friends to hear this, and though some few, from personal attachment, may even wish to believe it, no man, who knows any thing of human nature, can be expected to put faith in such immaculate perfection of character and freedom from every touch of frailty; nor can any one who has attended to the working of all that complicated machinery of wealth, influence, and connexion, and witnessed its effects in this country, as well as in India, divest himself for a moment of the conviction that these must have had their full share in aiding the natural operation of a service of seniority, to place Mr. Adam on the elevation to which he was so suddenly lifted, only to fall from thence with the greater shame and confusion.

That there should, in those who have humbly followed in his train, and enjoyed the benefits of his advancement while basking in the

sunshine of his patronage, be a *bias* towards the bright side of his character, may be as reasonably expected, as that those who have deeply suffered from his tyrannies should *incline* towards the darker aspect. But, that justice may be done, *both* should be fairly heard; and let the world draw their conclusions, not from vague and indiscriminate eulogy, or from equally general censure, but from the specific facts that are stated and admitted by each, and not denied or disputed by either. To this, therefore, we direct our attention; and as the narrative or sketch of Mr. Adam's life and character, as given in the '*Asiatic Journal*,' is the *most favourable* standard that his greatest admirers could erect, we shall adhere to that, without once travelling out of the record, and continue our analysis of the article from the point at which we digressed.

In adverting to the war undertaken for the expulsion of the Pindarées from Central India, Lord Hastings is said to have determined to commence operations without waiting for special sanction from home; and as the *issue* was *successful*, this is called "promptness of decision," and made matter of praise: though, had reverse followed, it would no doubt have been called "disregard of his superiors," and blamed accordingly. Even here, however, Lord Hastings is not permitted to have the merit of this firmness. It was Mr. Adam that was "the strenuous adviser of all that was *most* vigorous and decided;" it was "*his* voice" that "influenced the resolution finally taken by his Lordship, to adopt, upon his *sole* responsibility, the more extensive plan for establishing the British supremacy over the *whole* of India." The writer goes on to assert, that even in the "planning of the campaign," which followed, "Mr. Adam was the *sole* depository of Lord Hastings's views, military as well as political, and *exclusively* enjoyed his confidence."

We have no hesitation in declaring that this assertion is utterly untrue; and as the Marquis of Hastings is still living and among us, we hope he will do justice to those who were not only participators in, but equally deserving of, his confidence, by denying the accuracy of an assertion that has for its object to elevate the character of a deceased favourite on the ruins of other men's equally well-founded claims; and, in order to surround his name with the greater lustre, casting that of all others in the shade. It is notorious, throughout all India, that, in the operations of the Mahratta and Pindaree wars, Mr. Adam did *not* enjoy exclusively the confidence of Lord Hastings; any more than he was, as this blind partisan insinuates, the planner of all his Lordship's military movements; though, doubtless, in *his* estimation, Mr. Adam, as "a thorough man of business," would make by far the better generalissimo of the two! This confidence was given in a much greater degree to the military officers, by whom the Marquis was not merely attended, but most ably supported throughout the campaign; and, indeed, it would have been most extraordinary if it had not been so. It was not less notorious at the time alluded to, than it is manifest now on the face of the pleadings and papers regarding the Deccan Prize Booty, at present before the Lords



of the Treasury, "that the instructions for the movement of every corps, sometimes extending even to the details of its formation and equipment," were NOT, as is falsely asserted, "issued entirely under his (Mr. Adam's) signature." Neither is it true, as averred in the closing part of the same paragraph, (p. 488,) that the Marquis's "orders for regulating the military operations were invariably issued through the Political Secretary of the Governor-General."—It is, unfortunately, beyond dispute, that a misconception on this point had arisen among those who were to decide the question of prize booty, in which Lord Hastings and the Bengal army are so deeply interested. But, as we have delivered our sentiments on this subject in another part of our present Number, we think it unnecessary to say more in this place, than that the whole of the Indian army well knows that to Lord Hastings alone, and not to his "thorough man of business," Mr. Adam, belongs the exclusive merit of planning and executing the entire scheme of operations, political and military, which marked the rise, progress, and termination of the Mahratta or Pindaree campaign; and that the assistance which Mr. Adam rendered on that occasion, was no more than fifty other individuals attached to his Lordship's staff and suite could have afforded with equal readiness and zeal. That a Governor-General should give a due portion of his confidence to any man holding the situation of his secretary, may be naturally inferred from the very act of his consenting to his appointment; and that Mr. Adam's length of service and local experience would make him of some use to any Governor-General, as well as to Lord Hastings, may be also admitted. But the papers already published, and in the hands of most of the parties interested in the issue of the question, show that Lord Hastings himself wrote *all* his own despatches that were of any importance, and that Mr. Adam's "*signature*," which is made to figure so conspicuously in his eulogist's rhapsody, as if it proved Mr. Adam to be the Great Original, from which all the plans of the campaign emanated, was merely affixed to verify the accuracy of these copies and records of what had been conceived and written by Lord Hastings himself! So much then for the impudent assertion of a claim to military talent, and exclusive confidence on the part of Mr. Adam's biographer—a claim that, weak as we believe the individual himself to have been, we are persuaded he would have shrunk from asserting for himself, or suffering to pass without a disclaimer if put forth by others before his death. It appears that one part of Mr. Adam's duties, while thus employed, was to issue "instructions," the object of which was, "to check the *wayward inclinations* of some functionaries, on whose conduct the success or failure of some important part of the general plan depended;" an admission, at least, that there *were* "wayward inclinations" even among the functionaries of Government that it was desirable to check. Yet what was the conduct of this very Mr. Adam not long afterwards? It was to denounce and punish, with a rigour beyond the law, the slightest allusion to this very necessity, on which for years of his own life he is said to have been acting. In his hostility to the friends of inquiry

and control, he contended, in effect, that there were *no* wayward inclinations among public functionaries which required to be watched or corrected: he denounced it as a gross insult to Government even to suppose so; and punished the conscientious assertor of the contrary opinion with a confiscation of all his property, for daring to persist in the very doctrine now admitted to be well-founded, and acted upon by the denouncing individual himself. This is but one example of the consistency and benevolence of this "honourable" man, though many more of equal force might be adduced.

The biographer, with a view to inspire a belief of the late Secretary's almost supernatural powers, physical as well as moral, says: "The labours and anxieties of that period, (while attending Lord Hastings in the Mahratta campaign,) can be known only to those who witnessed Mr. Adam under the discharge of his accumulated duties: late in the night, when *all else* were at rest," (officers on guard, sentries and others, no doubt, included,) "the lamp was constantly burning in *his* tent," (as if it were not also burning in almost every other; and as if the mere existence of a burning lamp might not mark repose as well as watchfulness,) "while *kâsids* and *estafettes* (*mes-engers*) were waiting to carry forth *his* expresses. Again, though the march was always made before day-break in the morning," (a practice common to every part of India,) "*he* was, nevertheless, up before hand, and at the desk, *with his candle*, to *catch* a few minute, for some urgent business, ere the drum should beat the final order to move"! All this, which is doubtless intended to be most eloquent and impassioned, borders so closely on the ridiculous, that it is difficult to suppress a smile in reading it. In the midst of all these harassing duties of the Secretary, who was always carried from place to place in a luxurious palanquin, on horseback, or in the howda of a stately elephant, what must have been those of the weary officers, who had to march or fight by day, and mount guard by night; and whose weary limbs might envy the Secretary's comparatively indolent post? But, above all, if the writer of despatches, who had merely to transcribe the thoughts of another, was compelled to be up late at night, while all others slept, what must have been the labour of him who had to conceive, to plan, and to execute all which Mr. Adam had merely to put to paper, when thoughts were to be embodied into words?

But, says the unsuspecting biographer, "it is to be observed, that in addition to the functions of the political department, Mr. Adam filled the situation of private secretary, so that he had thus *another* branch of duty to perform, in its nature urgent and distinct from that which mainly occupied his thoughts, but consisting of confidential correspondence regarding the *distribution of patronage*, or of communications with the principal functionaries of the Presidency, and, therefore, *not admitting* of transfer or delegation to other hands." This is a striking example of the system of pluralities which still prevails in India, and of the weak manner in which they are defended. The truth is, that any one of these offices would have been sufficient

to satisfy a less grasping man than he who united all in his own person. But as to the extra labours entailed on the holder of these several appointments, one would suppose that he performed the duties without help of any kind, and without any corresponding increase of emoluments; for in such case only could great *merit* attach to their holder. It happened, however, that Mr. Adam was paid, aye, and enormously paid, for both; receiving for each about as large a salary as the Prime Minister of England, while, in addition to this, he wielded, by virtue of his united functions, nearly the whole of the patronage of the Civil Service, and much also of the Military. Is all this nothing? There is no man who knows what patronage really means that will think lightly of Mr. Adam's reward; nor any one who knows how efficiently every head of a public office is assisted by subordinates in India, who will think much of his labours, or deem them at all greater than those of many other public functionaries in the same service.

We may, perhaps, take occasion to remark in this place, that the argument which has been urged against the mischief of making any Company's servant a Governor in India, (namely, the evil of his bringing all his local attachments and prejudices into play, to the undue preference of his personal friends, and unjust exclusion of equal merit in his personal enemies,) may be applied with equal truth and force to the appointment of private secretary. It is undoubtedly wrong that this office should be held by any one filling any other post, as was the case with Mr. Adam, but it is also wrong that it should be held by a Company's servant at all. Such a man is sure to mix himself up in all the intrigues, parties, partialities, and hatreds of the Civil Service, and to make the most unjust distribution of that patronage which should be dispensed with reference to merit and fitness alone. On the same principle that justice is better administered in all our country towns, from the circumstance of the judges and counsel having no local connexions in them, and being uninfluenced by fear of displeasure or hope of favour from any of the contending parties; it is also certain that a new Governor-General from Europe, and a new Private Secretary from the same country, each alike strangers to those over whom their rule is to be exercised, and among whom offices are to be distributed, will do more impartial justice than men elevated to these posts out of the very body, to every member of which they are familiarly known. We believe that the Court of Directors acknowledge this principle, and have decided on adhering to it in future. If so, we give them credit for the excellence of the rule, and hope to see it rigidly persevered in. Lord Hastings, in not observing it, hoped, most probably, to benefit by Mr. Adam's local experience; but the intrigues and treacheries disclosed by the Oude Papers, recently laid before the Court of Proprietors, and analysed in our two preceding Numbers, show that he nourished a snake in his bosom. Indeed, his Lordship's confidence was not merely betrayed by the supposed friend and depositary of all his state secrets, but betrayed

in such a manner as to leave a stain on the name of Mr. Adam that no time will wash away.

With a view to awaken a more general sympathy in the fate of his hero, the biographer asserts, that "the seeds of the disease which ultimately carried him off," were sown "during the campaign;" and arose entirely from his great mental and bodily labours, so that, according to this notion, he may be considered to have died a martyr to the public service, and thus to deserve that his name should be held in reverence on that account. Mr. Adam was, however, in the full vigour of health when he became temporary Governor-General, able to attend fêtes and balls, in all the pomp of state and ceremony, to drive frequently from Barrackpore to Calcutta and back, in the state carriage, and to take his daily airings on the Couise, attended by ten times the number of troopers that Lord Hastings ever thought necessary for the support of *his* more humble pretensions. Mr. Adam was also in the full vigour of health when he banished the Editor of the Calcutta Journal, and equally so when he wrote his celebrated manifesto, declaring all his countrymen in India unfit to be trusted with the expression of their opinions, and condemning them all to chains and slavery of the most debasing kind. But after his brief reign of a few weeks, during which he seemed intoxicated with his sudden elevation to power, he never held his head up, like a bold, a fearless, or an innocent man, again. The recollection of the tyrant-deeds he had committed towards the merchants of Hyderabad, and the friends of freedom in Calcutta, seemed to hang like a curse or spell on his imagination. He tried a voyage to sea—he went to the hills of Nipaul—he journeyed over Central India to Bombay. All would not do; he could not fly from himself; and we sincerely believe that remorse and repentance so preyed upon his heart, that his death, if not entirely caused, was at least hastened most materially, by pangs which no earthly medicine could relieve.

"But we have not yet done (says his biographer) with the recapitulation of Mr. Adam's claims to the *lasting gratitude* of the country, to the service of which his life was devoted." Neither (we may add) have we. The theme is too prolific to be abandoned so soon. It would have been of some value to have learnt from the biographer what country he meant when he speaks of Mr. Adam's claims to its lasting gratitude. If he meant England, what has he ever done for it, but to degrade her very name, and offer insult to all her descendants, by maintaining and acting upon the odious doctrine, that while all other men are free to remain in India under the dominion of the laws alone, those who have the *misfortune* to be of British origin by birth, may be banished, ruined, trampled on, and destroyed, without the intervention of any law whatever, at the mere will and pleasure of the despot at whose nod they must fall down and worship any golden image that *he* may set up; or, like those who resisted this tyranny of old, be cast into the burning fiery furnace, there to endure the torture of his present wrath, and be subject through life to all his future persecutions? This is what he has done for England. If the

country meant be-India, what has he done for it, except to destroy the promising commerce that was about to extend itself throughout the whole of the interior, from the great centre at Hyderabad, by crushing the house of Palmer and Co. in that foreign state; and then to plunge the country into an unjust and unprofitable war, in the prosecution of which there has been already a greater sacrifice of blood and treasure than the lives of a thousand such "thorough men of business" as Mr. Adam could ever repay? The truth is, that he was a decided enemy to the true interests of both these countries, and has no just claim on the gratitude of either. He was one of the most bigotted enemies of the COLONIZATION of India by Englishmen, the only public measure by which great benefit can result either to the one country or the other; and by his perpetual opposition to every thing which had even a *tendency* to bring about this grand desideratum, he was the inflictor of the most unequivocal injuries on both.

"As a member of council," says his eulogist, "Mr. Adam's character was conspicuous for *solid sense*, and for the close discriminating judgment which he ever had at command for *all* questions." Happy statesman! But we are still constrained to ask, what were the measures he originated, and wherein was the sense and judgment displayed? We are answered with the affair of Hyderabad and the Press; two questions on which, as we have repeatedly shown in former papers, there is a continual display of the grossest cruelties and most unparalleled absurdity as well as injustice. But, says his biographer, "he was always anxious to seek information, and to avail himself of the suggestions of others on all subjects with which he believed them to be more familiar than himself." And how does the reader think he made this anxiety manifest? Verily, in a strange way; by gagging every man's mouth; by shutting up even the ordinary channels of communication; and by threatening every one of his countrymen who dared to make any suggestion which did not accord with his own preconceived notions with severe and summary punishment! This is an Indian Governor's notion of the best way to profit by the suggestions of others! With this precaution he might well be, as he is described, "above the petty ambition of figuring in the record as the originator of *new schemes*." For him, and his favoured friends, the *old* schemes were unquestionably much better, and their *beau ideal* of the good government of India would be in the restoration of all the *old* cruelties, monopolies, and robberies, which marked the earliest periods of the history of the Company's government in that country; every improvement on which was, no doubt, called in its day "a rash innovation." In a short translation from the 'Oleha Nidhi,' given in the last Number of the 'Asiatic Journal,' under the title of 'Maxims of the Malabars,' is a line which says, "Never venture to second a new custom;"—a maxim that has led to the perpetuity of castes and the obstinate retention of every superstition and folly in the East. This is the same precept which, in other words, the weak-headed among ourselves are still disposed to venerate under the notion of respecting the "wisdom of our ancestors;" we see, indeed,

that ignorance and prejudice are everywhere pretty uniformly the same in their effects; and thus it is that Mr. Adam, who was full of both, thought it a merit to persecute the "propagators of new opinions" and the "originators of new schemes:" although his own writings bear witness that never were any opinions more new, even in their absurdity, than some of those put forth by himself in his celebrated manifesto against the Indian Press; and his scheme for making it subject to a license, revocable at pleasure, was so *new*, that it had never before been heard of in India since that country had been subject to British dominion. He was therefore most guilty of that of which his biographer would have us believe he was innocent;—and denounced other men for doing what it is claimed for him as an especial merit to have done for himself; namely, "his never permitting the sense of obligation to the Governor-General to influence any departure from the conscientious discharge of his duty to the public." And although it is again repeated as an especial merit, that "he did not hesitate to record his dissent when his judgment could not approve," let it never be forgotten that this, which the world are taught to believe was a virtue in him, became in his eyes a crime in others; inasmuch as that he first banished and ruined one of his fellow-countrymen for daring to exercise this virtue; and then, in a manifesto which he put forth to justify his cruelty, (having previously gagged the press, and prevented any man from answering him on the spot,) added the memorable declaration of this slavish sentiment. "*It is impossible to conceive a grosser insult to any government, than an individual daring to approve of sentiments on which he knows that the members of that government have already expressed their displeasure*"!—This is the doctrine of the "Honourable" John Adam, for whom a claim is now set up to "the lasting gratitude of the country, to the service of which his life was devoted"!

On the subject of the Press in India, the biographer goes over all the old fallacies, already a hundred times exposed and refuted, and repeats the language of the celebrated manifesto of Mr. Adam, as if it were still untouched and undisputed, instead of being torn, as the reader who has any curiosity may see, to very rags and tatters, having scarcely a thread of its argument left to hang the web together.<sup>1</sup> It is not our intention to analyse this question again in detail. But we should not do our duty to the article now under examination if we were not to notice at least the few leading points on which it seems to lay the greatest stress. As our remarks have, however, already extended beyond the limits which we usually assign to any one topic in a Number, we shall choose this part of the subject as a resting-place, and resume our task at the earliest opportunity.

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<sup>1</sup> See Oriental Herald, Vol. I. Nos. 1 and 2.

## THE FRENCH GRENADIER'S FAREWELL TO THE EAGLE.

'Tis Spring, and the lillies shine bright in each vale ;  
 Adieu, then, brave mate of the dark winter gale ;  
 'Tis Spring, and its sunshine lights mountain and dell ;  
 Strong Bird of the Tempest, farewell, then—farewell !  
     Oh ! our arms may wither, our hearts grow cold,  
     But we shall not forget thee, Bird of the Bold !

We mark'd thy high flight, and our hearts they were proud,  
 For thou didst move on like a lone thunder cloud ;  
 And the nations that watch'd thee with terror were dumb,  
 For they felt that their hour of disaster was come.  
     Oh ! our arms may wither, &c., &c.

Thy home was the smoke of the great battle field,  
 Thy sunshine the flash of the guns as they peal'd,  
 Thy food it was glory, thy music the hum  
 Of the far-spreading camp, and the roll of the drum.  
     Oh ! our arms, &c., &c.

O'er sierras and vineyards we track'd thy fierce flight,  
 Where each cot was a fortress, each step was a fight ;  
 In the depths of the night, through the noon hot and clear,  
 We heard thy war-summons, and cried, " We are here ! " <sup>1</sup>  
     Oh ! our arms, &c., &c.

We have follow'd thy call o'er those deserts of snow,  
 Where the air hath no life, and the rivers no flow ;  
 Thou wert faint and worn out, but the foe could not tame  
 Even then thy bold heart, or its longings for fame.  
     Oh ! our arms, &c., &c.

The awed earth was still, at the flap of thy wings,  
 Thy glance was the safeguard of nations and kings ;  
 Thou wert lord from the hills to the green ocean's shore ;  
 Thou wert glorious—Alas ! thou art glorious no more.  
     But our arms may wither, our hearts grow cold,  
     Ere we revere thee less—Bird of the Bold.

Fare thee well ! Fare thee well ! brave Bird of War :  
 Night hath closed around thee, but every scar  
 That adorns us shall tell of the deeds that were done,  
 When thou soar'dst in the full blaze of Victory's sun.  
     Oh ! our arms *shall* wither, our hearts *be* cold,  
     Ere we can love thee less—Bird of the Bold.

4th March 1825.

BERNARD WYCLIFFE.

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<sup>1</sup> Mais si la France, si la gloire  
 Disait " Enfants, êtes vous là ? "  
 Répondens, par une victoire  
     " Oui ! nous voilà ! "

*Le veteran Chant, dédiée à l'Armée.*

LIFE, CHARACTER, AND WRITINGS OF SCHILLER,  
THE GERMAN POET.

THE Germans can boast of a number of illustrious poets, among whom Schiller and Goethe hold the highest rank. The names and writings of these authors are familiar to most of their countrymen, but the former seems to be the most generally esteemed, particularly among the fair sex, which he has so often made the subject of his beautiful compositions. Schiller, in his writings, appeals more to the passions and feelings of his readers than Goethe, which may perhaps in some degree account for the larger share of public approbation which he has obtained. Most of the accounts which have hitherto been published of this distinguished individual are either tediously long, or so brief and imperfect, as to prevent all the material facts connected with his history being related. In the present article, we have collected into a moderate space every thing material, and added, from authentic private sources, such new facts as will, it is hoped, be interesting to those who delight to trace the rise and progress of men eminent for their genius, and enjoying deserved celebrity.

John Frederick Christopher Von Schiller was born on the 10th of November, 1759, at Marbach, a small town in Württemberg, situated on the Neckar. His father was surgeon to a regiment in the hussars, belonging to the Duke of Württemberg, and afterwards held the rank of captain, together with the office of inspector to the nursery-gardens belonging to the Duke. He was active and circumspect, well skilled in philosophy and mathematics; and distinguished himself by a work on the culture of trees. Schiller's mother was the daughter of a baker, called Kodweiss (and not from the place Kodweiss, as has been erroneously stated); she was of religious habits, and a woman of fine feeling, but had not received a particularly good education; she was, however, a warm admirer of the works of Utz and Gellert. In the early part of his life, Schiller lived with his parents, by whom he was tenderly beloved, at Lorch, a small village in Württemberg. He received his first education from a Protestant clergyman, called Moser, and at this early period gave striking proofs of the generosity of his disposition.

In the year 1768 his taste for poetry first displayed itself. One day, after he and a fellow-scholar had said their lessons from the catechism, they received a small remuneration from the master for the manner in which they had acquitted themselves. Schiller, in his joy, proposed taking some cold milk in the country-house of Harteneck; his friend consented, but on arriving there they could not obtain what they wished. Disappointed, they went to Neckar-Wailingen, where they found the desired repast. Schiller, delighted at having enjoyed his favourite beverage, on returning mounted a lofty hill, from which he could see both Harteneck and Neckar-Wailingen, and delivered with poetic pathos his malediction on the spot where he



could not obtain the object of his desire, and his benediction on the place where it was furnished him.

In the same year, the representation of a play at the theatre of Ludwigsburg made a powerful impression on him; and even then, when only nine years of age, he formed the design for his celebrated piece 'The Robbers.' He composed his first poem in 1772, on the day of his confirmation, to give his mother, who had the day before reproached him for his gaiety, a proof of his piety. Until 1773 he attended a public school at Ludwigsburg, where his parents lived some time; and in the beginning rather distinguished himself by the goodness of his disposition, his open-heartedness and vivacity, than by extreme attention to his studies, which then consisted in reading Virgil's *Æneid*, the *Tristia* of Ovid, and the Odes of Horace; so that no one suspected the genius which lay concealed in him. Unfortunately the foundation of the timidity and awkwardness, which embarrassed him so much in after life, was laid here, and was principally owing to the conduct of one of his preceptors, called Jahu, with whom he lived some time, and who, by constantly scolding him, and feeling displeased at qualities perfectly harmless and even virtuous, thus destroyed his juvenile gaiety.

Here he devoted himself to the study of theology, and underwent on this account several examinations, but the Confessor advised his parents to choose some other occupation better adapted for him. The testimonials<sup>1</sup> which were given him on these occasions are not in contradiction to their opinion, for it is evident that this was not founded on any mean estimate of his talents, but on account of his great vivacity. For this reason his parents were glad when the Duke of Wirtemberg procured for him a place in the Karl's Schule, which was a kind of academy, and recently founded at Ludwigsburg. To Schiller this new situation was not very agreeable, as he was obliged to leave his favourite study, theology, for that of jurisprudence, which was not very congenial to his taste. An opportunity offering itself in the year 1775, he applied himself to the study of medicine, and it is said that he was glad of the change. But at a subsequent period, at Yena, it is stated that he had a desire to return to theology, as he conceived it the highest honour to speak before a multitude on the things most important to the life of man.

The school at Ludwigsburg did not at all suit his disposition; the constraint and soldier-like discipline to which he was subjected, checked the development of his genius. In their promenades, the scholars were drilled like troops, and followed by preceptors: præter compendia quisque liber vetitus, and the company of females was most strictly prohibited. Even when he wished to read some parts of his 'Robbers,' which he had then composed, to his companions, he was

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<sup>1</sup> 1769. Puer bonæ spei quem nihil impedit, quo mirens inter patentes hujus anni recipiatur. 1770-71. Puer bonæ spei qui non infeliciter in literarum tramite progreditur. 1772. Non sine fructu per annum proxime præteritum in iisdem laboravit pensis cum condiscipulis.

obliged to do it with the greatest possible caution, as he would have been severely punished if detected. The pedantry of the instruction not unfrequently disgusted him; and one day when his preceptor sent to him in his chamber some tasks to perform, he threw them at the feet of the messenger, and exclaimed, "I will study as I like."

Hitherto he had not obtained any very extensive acquaintance with the *Belles Lettres*, but still he was familiar with the works of Voltaire and Klopstock, particularly the latter, which he studied with the attention of a critic. In Klopstock's Ode, '*Mein Vaterland*,' (my native land,) he erased the remainder of the verses after the words "*Ich liebe dich Mein Vaterland*," (I love thee, my native land,) since he conceived that they weakened the effect of the rest. '*Die Genesung*,' (the Convalescence,) another poem by the same author, he destroyed altogether, because the subject of all the pompous verses amounted to nothing more than this—"If I had not become convalescent, I should have died, and not composed my *Messias*!" '*Ugolino*,' a tragedy, by Geitenberg, made a powerful impression on his mind, as well as '*The Gotz de Berlichingen*,' by Goethe, and the works of Lessing and Leisewitz. He also took peculiar delight in the *Messias* of Klopstock, and in reading the scriptures, which induced him to write an epic poem, called '*Moses*.'

His taste for the drama now displayed itself, and about 1776 he wrote a tragedy, called '*Der Student von Nassau*,' (the Student of Nassau,) of which the self-destruction of a young man of that place furnished him with the subject. Soon after followed '*Cosmus de Medicis*,' a tragedy very similar to the *Julius de Tarento*, by Leisewitz. Some parts of these pieces, both of which were burnt by our poet, are scattered throughout '*The Robbers*,' (*die Räuber*), which he finished in 1781. About the same time he wrote a short drama, called '*Jahrmarkt*,' which was represented at Ludwigsburg, on the birth-day of the Duke of Württemberg, in which were several traits of his genius. At this period he became acquainted with the writings of Shakspeare, which, however, did not please him much.

In 1775 several lyric poems from his pen appeared in the *Schwabisches Magazine*, (*Suabian Journal*); these were not particularly clever, but still they enabled the editor to prophesy to Schiller *os magna sonaturum*. At last, after having studied Ferguson, Plutarch, Gaius, and Herder, he dedicated himself exclusively to the study of medicine, as a means of subsistence. After this, in 1778, he wrote a work in Latin, called '*Philosophia Physiologiæ*,' and in 1780, in German, a work on the connexion of the animal with the spiritual nature of man, entitled '*Über den Zusammenhang der thierschen Natur des Menschen mit seiner geistigen*.' In the last he quoted, in order to prove a psychological remark, a part of '*The Robbers*,' which he stated to be a translation of an English tragedy. He became, after this, physician of the regiment *Angé*, and was a bold though not successful practitioner.

At this time, about 1780-81, he finished '*The Robbers*,' and

published it at his own expense, since he could not find a bookseller to undertake it. This work made him known to the Baron de Dalberg, and introduced him to the theatre of Manheim, of which the Baron was the director; and he had the pleasure of seeing his piece performed twice at that place. He then took so great an interest in the theatre, and particularly in the acting of Iffland, that he desired to become a comedian; but Bél prevented him, and said with prophetic truth, "Not as the actor, but as a composer of comedies, will you be the glory of the German theatre!" Already had he, at the school at Ludwigsburg, performed the part of Clavigo with great credit, in Goëthe's tragedy of that name. His play (*The Robbers*) was received with much éclat throughout Germany, but it compelled him to fly from Stutgard, as there was a passage in the piece which offended the Grisons; for at their request, and perhaps offended at the nature of the play, the Duke prohibited him from ever writing anything but on medical subjects, and commanded that whenever he wished to publish any piece he was first to show it to him.

Schiller, who had by this time composed his piece called '*Du Kindesmörderin*,' (the Murderess of her Child,) irritated at such an act of oppression, fled in the month of October 1782, into Franconia. Here he lived some time at Oggerheim, under the name of Schmidt, but afterwards resided in the beautiful country of Miningen, at Bauerbach, in the family of Mad. de Wollzogen, with whose sons he had been on terms of intimate friendship when at Stutgard. In this repose he wrote his '*Fiesco, Love and Cabal*,' (*Liebe and Cabale*), and conceived the first idea of his *Don Carlos*.

In 1783 he went, under the patronage of Dalberry, as poet to the theatre at Manheim. He discharged the duties of this situation with considerable zeal, for he regarded the theatre as a moral institution, and even wrote two treatises to prove its moral tendency. He also occupied himself with translating into German the *Macbeth* and *Timon* of Shakspeare, but he soon relinquished these for his *Don Carlos*, part of which he had now composed. Some scenes of this piece were recited at the Court of Darmstadt, which made Schiller known to the Duke of Weimar, who conferred on him the title of councillor.

In 1794 he undertook the management of a periodical journal, (*Rheinische Thalia*), the first appearance of which was highly creditable to his talents. At the same time he studied with zeal the best tragic authors of France, many of which he wished to translate into German. In 1785 he went to Leipsic, and passed his days happily in the country at Gohlès with Goëschen, Lollikofer, Weisè, Yunger, and Moritz, during which period he wrote his beautiful Song addressed to Joy. From Leipsic he made an offer to Laura, the daughter of the librarian and 'conseiller de chambre' at the court of Ludwigsburg, called Schwar, celebrated by him in one of his poems; but the engagement was afterwards declined, as Schiller's mind appears to have altered on that subject.

From the end of 1785 to July 1787, he lived at Dresden, or in

its vicinity, in the house of the father of Körner, a young poet, who distinguished himself in 1813 in the war with France. Here Schiller finished his *Don Carlos*, and wrote also a history of the Revolution of the Netherlands, and his still unfinished piece '*The Geisterseher*;' he studied chiefly during the night; was fond of solitude, and often crossed the Elbe alone in rough and tempestuous weather.

In the summer of 1787 he went to Weimar, where he was taken notice of by the court, and became acquainted with Heider and Wieland, the latter of whom had criticised his writings severely. He wrote at this time for the '*Mercury*,' a journal then in high repute; and also composed the '*Götter-Gruchenslands*' (the Gods of Greece), and the '*Künstler*' (Artisans), two poems much esteemed in Germany. At Weimar he visited little, did not study by night, and generally went to bed at ten o'clock. Once a month he had Hufeland, and some other friends, at his house, to partake of a simple repast. On a visit to Rudolstadt, he saw, for the first time, his future wife, a young lady of the family of De Longefeld, and Goëthe, who was returning from Italy with the Duchess Amelia of Weimar. Schiller was not then quite satisfied with Goëthe; but at a later period, when his opinions had changed, he wrote to a friend, saying: "Goëthe, indeed, is a good man; and although there are some things against him, he was not the cause of them." He was indebted, a short time after this, to Goëthe for the professorship of history at the University of Jena, the duties of which he discharged with credit, as of every thing else which he undertook.

At this time were written his '*Historical Memoirs*,' and the '*Thirty Years' War*.' Next to history, he occupied himself, at the persuasion of Reilnhold, with the philosophy of Kant, at which time also he wrote a few philosophical pieces; but shortly after, at the request of Wieland, he read the Greek tragedies, and translated some of them. At the same period, he studied with delight the poetry of Aristotle; and conceived the design of writing a poem on theological topics, and an epic poem, of which he wished to make Frederick the Great and Gustavus Adolphus the subject.

In 1790 he married; and when in the midst of happiness, loaded with honours, and named a citizen of the French republic, he was attacked with a violent disease. This was produced by nocturnal study and violent excitements, to which he had recourse in order to keep himself awake. Some of his friends used often to see him, from the top of a hill in the neighbourhood of Jena, where he passed the summer, walking up and down his garden, reciting something aloud; after which he would go to his chamber, suddenly throw himself in his chair, write, and then return to the garden. During his illness, the Duke of Holstein settled on him, with great delicacy, a pension of 1000 reich thalers (150*l.*) per annum,—a source from which several eminent German writers, as Klopstock, and others, have received similar marks of kindness.

In 1789, he first conceived the idea of '*Wallestein*,' which, how-

ever, he did not complete till seven years afterwards. He now also became less sentimental; his enthusiasm and warmth of feeling being succeeded by a coldness foreign to all his former habits.

In the result of the French Revolution, Schiller took a peculiar interest; and he had often expressed a great desire to find some one who would translate for him into French an Oration, which he desired to address to the people of that nation. Had he executed this design, it would not have been without its effect. In 1793, he revised all his works, when his change of sentiment induced him to make many erasures; but it was apparent, from his private letters, that he was not at this time free from hypochondriacal attacks. At this period, the birth of a son gave him great delight; and it was his intention to have educated him according to the institutions of Quintilian.

Shortly after this he commenced the '*Horæ*,' a periodical journal, to which the most eminent writers of Germany contributed. On his return to Weimar, he associated principally with Humboldt and Goëthe. Goëthe composed several of his Ballets at Schiller's, who first suggested the idea of them: thus they sought subjects in common with each other, which they afterwards divided. Soon after, *Wallestein* was represented at the theatre of Weimar, under the direction of Goëthe and Schiller; and such was the joy of this poet, that he himself gave the actors some bottles of champagne for the repast in the second act.

In 1799 he quitted Yena altogether, (for up to this time he had generally passed his summers there,) and returned to Weimar. Often was he observed rambling alone in the park and most retired spots. His favourite walk was one with rocks on each side, overhung with cypresses and beech-trees, and not far from the gentle murmur of a fountain.

The next piece after '*Wallestein*,' was '*Mary Queen of Scots*,' and of all his best performances, this was the one most rapidly finished. In 1801 appeared the '*Maid of Orleans*,' (*Yungfrau von Orleans*,) with the subject of which he was furnished from a work entitled, '*Notices et Extraits des Manuscrits de la Bibliothèque du Roi. Paris, 1790.*' On the first performance of this piece at Leipsic, cries of "*Long live Schiller!*" resounded in every direction. At the end of the play, every body hastened out of the theatre, anxious to see him; and when he appeared, the people formed into a line, and stood uncovered, crying, "*Long live Schiller!*" whilst he passed by.

In 1802, he received a title of nobility from the Emperor of Germany, at the request of the Duke of Weimar, who continued to bestow on him various marks of favour. In 1804 appeared his piece called '*William Tell*,' which he saw, in the same year, represented at Berlin. Shortly after this he laboured at '*Macbeth*,' also at '*Taandot*,' by Gozzi, which he imitated, and other translations.

On his return from Berlin, he felt himself unwell, and in the month of May, in the same year, he became worse, and took the waters of Selters to invigorate him; but an attack of fever soon

supervened, which proved fatal. The grief which his death occasioned cannot be well described, not only among his family, and those personally acquainted with him, but among the still larger number of persons whose esteem and admiration his writings had procured him. The theatre at Weimar was closed during several days; and in different parts of Germany marks of honour were paid to his memory. As the body soon began to change, his interment took place shortly after his death, at midnight, between the 11th and 12th of May.

Schiller, at the time of his death, was forty-five years of age. He left a widow, with two boys and two girls. The most accurate likeness of Schiller has been given by Danecker in a bust; for the wife is reported one day, when on a visit to the artist, to have said: "My children, kiss the hand of the artist who has made your father live again." Among the numerous portraits which we have of Schiller, those of Doria, Stock, and Kugelen, are fac-similes; and prefixed to the *Life of Schiller*, lately written by Döring,<sup>2</sup> is a very good engraving of this illustrious poet. He was tall and thin, but well formed; his countenance pale and pensive; eyes lively and animated; forehead high and expanded. His temples were hollow, lips a little protruding, and the chin slightly projected; his hair was inclined to a red colour. His gait was not good; and he was frequently in the habit of drawing up the shoulders,—a trick which he acquired at the Karl's Schule, where the military drilling was not of the best kind. On examining the body after death, the lungs were found nearly all destroyed, the cavities of the heart considerably contracted, and the liver indurated; in fact, the disease was so extensive, that it is surprising he survived so long.

Schiller generally went along the street in a pensive mood, and thus frequently was not conscious of what was passing when his friends met and saluted him. In his dress he was rather slovenly; in his living, temperate. At court, and in large companies, he was reserved; with his friends, and in select societies, extremely affable. He was benevolent to the extreme, which might be proved by several anecdotes of his life; and they may account for his not being wealthy when he died. At Weimar, the anniversary of his death is celebrated by the representation of 'Wallenstein'; but no monument has, as yet, been erected to his memory.

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<sup>2</sup> Frederick's *Von Schiller, Leben, von D. H. Döring.* Weimar, 1824.

## THE VISION OF FANCY.

DULL Midnight now her ebon wing  
 Had spread upon the drowsy flowers,  
 The wandering perfumes of the spring  
 Reposed within their dewy bowers,  
 In cowslip cups, and snow-drops white,  
 And primroses, and violets meek,  
 Which Dawn's young goddess wont delight  
 To strew o'er cradled Memnon's cheek.

The sweet but wearing toil of mind  
 Through many unnoted hours I'd plied,  
 And now I long'd to breast the wind  
 Cool-breathing on the green hill's side;  
 Cold Dian's horns beneath the sea  
 Had dipp'd, and left the stars above,  
 With golden frontlets gloriously  
 Along heaven's cloud-paved floor to move.

Time, spell-bound in the village fane,  
 Clank'd on his chains the hour of one,  
 As up the woodbine-scented lane  
 I pass'd in musing mood, alone.  
 A hallow'd wood waved dark above,  
 And there, as every hind can tell,  
 The little dream-wing'd people love  
 To foot it by the haunted well.

And there I sat me careless down,  
 Pondering what learned clerks have said,  
 That Fancy from our world has flown  
 And left grave Science in her stead.  
 I thought of what her wizard hand  
 In Memory's coffers huge had piled,  
 I thought of all the glorious band  
 On whom her nectar'd lips had smiled.

I thought how, once, a hope had sprung,  
 Too daring ! that to me 'twas given  
 To touch the harp by Shakspeare strung,  
 And mount in Milton's track to heaven !  
 For still, methought, on Nature's lap,  
 The manna that their souls sustain'd  
 Fell in the waste, for him whose hap  
 Was to be journeying whilst it rain'd.

But now despair with flagging wing  
 Pass'd o'er my opening hopes with blight,  
 And damp'd, alas ! the lyre's sweet string  
 Quivering awhile with deep delight.

Wild musings coursed across my brain,  
Swift as the wind-driven rack through heaven,  
And bright-wing'd thoughts, long nursed in vain !  
Unhoused, like homeless birds, were driven.

I envied those whose peaceful bones  
Lay coffin'd in the wormy earth,  
Cold as the gray moss-fretted stones  
That told above their end and birth ;  
And more had grieved, but at my side  
A female wight, nor sad nor merry,  
Stood doubtful or to smile or chide,  
With laurel crown'd, and ivy berry :

Her eyes were bright with summer fire,  
Her cheeks slight blushing like the east  
When Dawn first dons her cloudy 'tire,  
And steals from old Tithonus' breast ;  
Her long locks of intorted gold  
Fell clustering o'er her shoulders fair,  
Or wanton'd with the breezes cold  
That wont to blow so lonely there.

Her mantle, green like Nature's, fell  
In many a waving fold around,  
And light, by some mysterious spell,  
Like fillet broad her temples bound ;  
And show'd the little flow'rets pale,  
Starring the sward and breathing sweet,  
Scenting, unthank'd, the sullen gale,  
Or bent by unseen faries' feet.

Seeing me awed, be sure, the maid  
'Gan smile at length—" Ill-boding wight ! "  
In light satiric mood she said—  
" Am I then mortal ? Can the night  
The grave affords thy wearied race,  
O'er-spent with toil, their cares to steep,  
Can, can it curtain round this face ?  
Or charm these moteless eyes to sleep ?

" That thou dost mourn o'er my decay,  
As I were some old pictured thing  
Painted by hands long passed away  
In towers time-struck and mouldering ?  
Witless ! yon twinkling tapers bright  
That burn in Night's old dusky hall,  
Shall sooner quench their golden light  
Than bald Time bend o'er Fancy's pall.

" Wouldst thou my empire paint ? be bold,  
Dip deep in Nature's juice thy pen,  
Or journeying summer-cloud, unroll'd  
In heaven to charn the poet's ken ;



*The Vision of Fancy.*

Or in the tossing waves of life,  
 When passion's storms are loud and high,  
 And Wisdom, shipwreck'd in the strife,  
 Lies stranded on some shore to die !

" Follow the dark-maned steeds of war  
 Through all their thunder-scathed track,  
 Whirling the proud victorious car  
 In charge ; or gash'd, gore-dripping, back  
 Bearing the stricken, helmed chief,  
 To meet his coffin'd peace, or feel  
 On idle bed no sweet relief  
 Close up the path of hostile steel.

" Or get thee on the dancing waves  
 That roll against the rising sun,  
 Or dash among the coral caves  
 Along the shores of al Zcilun ;  
 Or watch the ices of the pole  
 Burst from their moorings in the North,  
 And like uprooted kingdoms, roll  
 From their eternal stations forth,

" Unhousing the Leviathan,  
 The bark of seals, the midnight howl  
 Of bears, and all the countless clan  
 That in the polar caverns prow ;  
 Or roam in Syria's pastoral vales  
 Where tented Arabs wander wide,  
 Or where the ostrich spreads her sails  
 On old Euphrates' desert side.

" Where'er thy foot may move, I am,—  
 In town, in camp, in ruin gray,  
 Where crescent or where oilflame  
 The young heart leads in honour's way ;  
 And I can lisp the uncouth tongue  
 Of African and Canbbee,  
 As well as his sweet strain who sung  
 Young Juliet and the sisters three.

" Then, strike the merry harp again !  
 My soul shall burn in every note ;  
 While Ceres gilds the autumn plain,  
 Or barks on hoary Ocean float,  
 Or cowslips on the brow of Spring  
 Droop dewy, shall my power be known ;  
 And who my prompting words shall sing  
 May reckon endless fame his own."

BION.

ON THE PRETENDED <sup>to</sup> ANTIQUITY OF THE HINDOO SYSTEM  
OF ASTRONOMY.

IN the anxiety of the Hindoos to affix to their nation the character of high antiquity, and their propensity to regard sciences and arts as scarcely to be valued, except in proportion to the remoteness of their origin from the present times, their favourite science of astronomy could not fail to be invested with a full share of this inestimable advantage. Of the books which are devoted to it, several are accordingly referred to an almost immeasurably early period, and one of them, the 'Surya Siddhanta,' claims an antiquity of upwards of three millions of years, being in fact a production only less modern than the 'Institutes of Menu' by about eight hundred thousand years. To enter into an exposition of the absurdity of this preposterous antiquity would be ridiculous. The mere fact that there exists in the western part of the Old Continent no work to which can be assigned the age of even four thousand years, is alone a sufficient proof of its fallacy; for it is impossible to conceive that the art of writing should have been confined, even during a few centuries, and much less, therefore, throughout several millions of years, to a single province. Even in the favoured soil of Hindostan, moreover, we should be compelled, on this supposition, to admit that the art of imparting ideas by written signs was limited to a solitary individual, for ages upon ages were allowed to roll away before a literary successor appeared to follow in the track of Menu. During hundreds of thousands of years he remained without a rival in the undisputed possession of the immense field of authorship; and it was perhaps fortunate that he should so remain, since, had the pens of the East vied in fecundity with the prolific powers of those of the West, long ere this time the Peninsula of India must have formed, from one extremity to the other, a single vast library, stored with the riches of an antiquity almost beyond calculation, and utterly past comprehension.

But while it is evident, even on the most cursory glance, that the periods assigned to these works must be grossly exaggerated, it is still desirable to attempt the ascertaining of the real epochs of their composition. To effect this, recourse cannot be had to collateral testimony, of which there either exists none, or such only as is equally open to suspicion with the works themselves, whose ages it is proposed to determine. If we would rely on internal evidence, we are there also at fault; for in our complete ignorance of the sentiments and opinions entertained even a few thousand years since, no two persons could perhaps be brought to agree on any one point as conclusive on the subject. Such, at least, would be the case with respect to a work on politics or legislation like the 'Institutes of Menu,' and the determination of its date must consequently be a difficult, if not an impossible, task. But a system of astronomy is differently circumstanced. It bears within itself certain evidences, from a comparison of which with

each other may be deduced an approximation at least to the time at which it was written. It must, indeed, be obvious, as was justly remarked by Mr. Bentley in his 'Observations on the Antiquity of the Surya Siddhanta,' inserted in the sixth volume of the 'Asiatic Researches,' "that every astronomer, let the principle of his system be what it will, whether real or artificial, must endeavour to give the true positions of the planets in his own time, or at least as near as he can, or the nature of his system will permit, otherwise his labour would be totally useless. Therefore, having the positions and motions of the sun, moon, and planets, at any proposed instant of time given by computation from any original Hindoo system; and having also their positions and motions deduced from correct European tables for the same instant, we can from thence determine the point or points of time back, when their respective positions were precisely the same by both."

On this principle, Mr. Bentley proceeded in his investigation of the antiquity of the 'Surya Siddhanta.' By comparing the positions and motions of the planets laid down in that work, with those obtained from the tables of De la Lande, he ascertained the real epoch of its composition to be so recent as the year 1068 of the Christian era. As the mean result of ten calculations, this can scarcely be regarded as far distant from the true time; and it is strongly confirmed by the length of the Hindoo year, which is stated in the 'Surya Siddhanta' at  $365^{\text{d}} 15^{\text{h}} 31' 31'' 24'''$ , a length which it actually possessed in the year 1063. Supported, moreover, by the external proofs derived from the concurrent ages of other works composed by the same author, and by one of his pupils, which very nearly correspond with that deduced from the work itself, the evidence in favour of its accuracy became fully as complete as could have been expected, and the date assigned by Mr. Bentley was in consequence very generally admitted as correct.

In an article, however, which subsequently appeared in the 'Edinburgh Review,' some doubts were expressed with respect to it, which appear to have originated chiefly in the writer's fixed opinion of the great antiquity of certain works, which would, by the date thus assigned, have become referable to a very modern period. The only objection advanced by the Reviewer against the accuracy of the time, is derived from the difference of nearly eight hundred years, which is given by the two extreme calculations; and hence, he concludes, either that the heavenly bodies were so inaccurately observed as to furnish no basis for calculation, or that the observations were made at a period prodigiously anterior to that assumed by Mr. Bentley. To these strictures that gentleman replied, in the eighth volume of the 'Asiatic Researches.' He pointed out, which indeed was quite unnecessary to any one at all versant in the subject, that the most correct European tables extant are not so infallible as to furnish all the results exactly the same; and that even in the second edition of 'De la Lande's Tables,' one of the data would give the age of it as 318 years, and another 243 years. But would this, he inquires,

be a sufficient ground to assert, that either the heavenly bodies had been so inaccurately observed by that great astronomer as to furnish no basis for calculation, or that the observations were made at a period prodigiously anterior to De la Lande's second edition? There are indeed no astronomical tables extant which do not contain errors, but these errors are always less at or near the time at which the work is written than at any distant period whatever. To illustrate, on this principle, his estimate of the antiquity of the '*Surya Siddhanta*,' Mr. Bentley exhibited in a table the errors in that work with respect to the places of the planets, &c., for several distant years, as well anterior as subsequent to the Christian era; by a comparison of which with each other, it appeared that the errors were least about A. D. 999, having been gradually diminishing to that period, and since then increasing in a similar proportion. Thus an additional proof was adduced of the justice of his previous deductions, which tended materially to confirm the general impression of their correctness.

But to the castigation of the censor, it is expected that every citizen of the republic of letters should bow with submission. To murmur at his severity, or to arraign the equity of his decisions, is to rebel against an authority which cannot be touched with impunity. Mr. Bentley had thus sinned, and his offence was to be visited with condign punishment. The Reviewer returned to the charge, but with more apparent fairness than on the first occasion. He attacked even in its first principles the method employed. Astronomical tables, he observed, are liable to errors of two different kinds: one concerning the radical places at the epoch from which the motions are counted; the other affecting the mean motions themselves. Of these the first remains fixed, while the second is variable, its effect increasing proportionally to the time elapsed. If, therefore, they are opposite, the one in excess and the other in defect, the one increasing continually will at length become equal to the other, when there will of consequence be no error at all; after which the error will fall on the opposite side and will increase continually. Here the moment of no error, or that when the tables are perfectly correct, is evidently distant from the time of their construction, and may be very long either before or after that period.

Plausible as this objection may appear, a very slight examination of it will be sufficient to show the improbability of the result being affected by such an error in any very material degree. If it were attempted to determine the date of a work by the error in the position and mean motion of a single planet, then unquestionably a blunder of the nature which is here assumed might be committed; but by the method pursued by Mr. Bentley, it is scarcely to be regarded as possible. His dates were obtained from a mean given by the positions of ten of the planets, &c., in which it is reasonable to anticipate that the errors on the one side must have been nearly counterbalanced by those on the other; and the justice of this anticipation is farther

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On this principle, Mr. Bentley proceeded in his investigation of the antiquity of the 'Surya Siddhanta.' By comparing the positions and motions of the planets laid down in that work, with those obtained from the tables of De la Lande, he ascertained the real epoch of its composition to be so recent as the year 1068 of the Christian era. As the mean result of ten calculations, this can scarcely be regarded as far distant from the true time; and it is strongly confirmed by the length of the Hindoo year, which is stated in the 'Surya Siddhanta' at  $365^{\text{d}} 15^{\text{h}} 31' 31'' 24'''$ , a length which it actually possessed in the year 1063. Supported, moreover, by the external proofs derived from the concurrent ages of other works composed by the same author, and by one of his pupils, which very nearly correspond with that deduced from the work itself, the evidence in favour of its accuracy became fully as complete as could have been expected, and the date assigned by Mr. Bentley was in consequence very generally admitted as correct.

In an article, however, which subsequently appeared in the 'Edinburgh Review,' some doubts were expressed with respect to it, which appear to have originated chiefly in the writer's fixed opinion of the great antiquity of certain works, which would, by the date thus assigned, have become referable to a very modern period. The only objection advanced by the Reviewer against the accuracy of the time, is derived from the difference of nearly eight hundred years, which is given by the two extreme calculations; and hence, he concludes, either that the heavenly bodies were so inaccurately observed as to furnish no basis for calculation, or that the observations were made at a period prodigiously anterior to that assumed by Mr. Bentley. To these strictures that gentleman replied, in the eighth volume of the 'Asiatic Researches.' He pointed out, which indeed was quite unnecessary to any one at all versant in the subject, that the most correct European tables extant are not so infallible as to furnish all the results exactly the same; and that even in the second edition of 'De la Lande's Tables,' one of the data would give the age of it as 318 years, and another 243 years. But would this, he inquires,

be a sufficient ground to assert, that either the heavenly bodies had been so inaccurately observed by that great astronomer as to furnish no basis for calculation, or that the observations were made at a period prodigiously anterior to De la Lande's second edition? There are indeed no astronomical tables extant which do not contain errors, but these errors are always less at or near the time at which the work is written than at any distant period whatever. To illustrate, on this principle, his estimate of the antiquity of the '*Surya Siddhanta*,' Mr. Bentley exhibited in a table the errors in that work with respect to the places of the planets, &c., for several distant years, as well anterior as subsequent to the Christian era; by a comparison of which with each other, it appeared that the errors were least about A. D. 999, having been gradually diminishing to that period, and since then increasing in a similar proportion. Thus an additional proof was adduced of the justice of his previous deductions, which tended materially to confirm the general impression of their correctness.

But to the castigation of the censor, it is expected that every citizen of the republic of letters should bow with submission. To murmur at his severity, or to arraign the equity of his decisions, is to rebel against an authority which cannot be touched with impunity. Mr. Bentley had thus sinned, and his offence was to be visited with condign punishment. The Reviewer returned to the charge, but with more apparent fairness than on the first occasion. He attacked even in its first principles the method employed. Astronomical tables, he observed, are liable to errors of two different kinds: one concerning the radical places at the epoch from which the motions are counted; the other affecting the mean motions themselves. Of these the first remains fixed, while the second is variable, its effect increasing proportionally to the time elapsed. If, therefore, they are opposite, the one in excess and the other in defect, the one increasing continually will at length become equal to the other, when there will of consequence be no error at all; after which the error will fall on the opposite side and will increase continually. Here the moment of no error, or that when the tables are perfectly correct, is evidently distant from the time of their construction, and may be very long either before or after that period.

Plausible as this objection may appear, a very slight examination of it will be sufficient to show the improbability of the result being affected by such an error in any very material degree. If it were attempted to determine the date of a work by the error in the position and mean motion of a single planet, then unquestionably a blunder of the nature which is here assumed might be committed; but by the method pursued by Mr. Bentley, it is scarcely to be regarded as possible. His dates were obtained from a mean given by the positions of ten of the planets, &c., in which it is reasonable to anticipate that the errors on the one side must have been nearly counterbalanced by those on the other; and the justice of this anticipation is farther

established by the mean errors being less near the epoch thus determined, than at any previous or subsequent period.

That the fallacious nature of the objection must have been obvious to all whose good opinion it was of value to cultivate, may account for no immediate refutation of it having been deemed necessary. The reply was consequently deferred until it was incidentally introduced into a very recent publication,<sup>1</sup> in which Mr. Bentley has undertaken to furnish a general and comprehensive review of the whole of the systems of Hindoo astronomy, as well antient as modern. The results of this investigation cannot fail to be highly interesting, as bearing materially on numerous points of chronology connected with the early history of the Peninsula of India, and as determining the real dates of various works. By fixing, moreover, the periods at which the lunar mansions and other divisions of the heavens were first formed, a maximum of antiquity is established beyond which such productions as contain references to them cannot of course extend. The student of Hindoo literature is thus furnished with such information, with respect to many books of pretendedly remote ages, as could only be attained by a thorough investigation, founded on the principles of astronomy and the mathematics. This task, the labour almost of a life, has been spared to him by the zealous and unwearied industry of Mr. Bentley, who has justly entitled himself to the gratitude of all those for whom the early political or literary history of Hindostan possesses attractions. A rapid sketch of some of the striking facts which he has elucidated, will suffice to give a general idea of the value of this important contribution to our Eastern knowledge.

Without a division of the heavens of some sort, or some fixed points to which to refer, no astronomical observations could be recorded with accuracy. Hence the origin of astronomy as a science must, in all countries, be coeval with the first attempt at such a division, which in India consisted of the formation of the lunar mansions. The history of this process, which is given in the language of allegory, informs us, that in the first part of the Tretā Yuga, the daughters of Daksha were born; that of these he gave twenty-seven in marriage to the moon; and that from four of them proceeded an equal number of children, each of whom was respectively named after his mother, the father being on the several occasions present at the birth. Beneath this veil of mystery are shrouded the simple facts of the division of the heavens into twenty-seven lunar mansions, and of the emersion in four of them, from an occultation by the moon, of four of the planets which assumed their names from these respectively. This latter circumstance leads at once by calculation to the precise epoch, the years 1424-5 before the Christian era. On the 17th of April, 1424 B. C., the planet Mercury, thence called Rohineya, was obscured by the moon in the lunar mansion Rohini; on the 23d of the same month,

<sup>1</sup> A Historical View of the Hindoo Astronomy, from the earliest dawn of that Science in India to the present time. By John Bentley, Member of the Asiatic Society, 8vo. pp. 402, and 282. Plates, vi.

Jupiter, thence named *Purvaphalgunībhava*, was similarly obscured in *Purvaphalgunī*; on the 19th of August, an occultation of Mars, *Ashād'hābhava*, took place in *Ashād'hā*; and on the 19th of August, in the following year, Venus, *Maghābhu*, was similarly located in *Maghā*. At no time, either before or since the above years, has a similar succession of occultations taken place in the same situations: the date assigned corresponds very nearly with that obtained by computing the precession of the equinoxes: falling, moreover, within the first quarter of the *Tretā Yuga*, the period affixed by the poetic history. So striking a concurrence of facts must be admitted as decisive evidence of the extreme point of antiquity to which the Hindoo astronomy can be referred.

At a later period the months were formed. They are fabled to have sprung from the same union of the twenty-seven daughters of *Dakṣha* with the Moon, from which proceeded the four planets above noticed. In this, as in the former instance, the names of the progeny were derived from those of the mothers. To explain the time at which this occurred, that year must be selected in which the Moon became full in succession in each of the lunar mansions, from which the months were named. Commencing with the winter solstice in the year 1181 B. C., at which time the Sun and Moon were in conjunction, the first full Moon occurred in the lunar asterism *Māgha*, and hence the month was termed *Maghā*; the second took place in *Uttara Phalgunī*, and the second month was therefore termed *Phālguna*, and so on throughout the year. This concurrence of the months with the mansions respectively can only be referred to the above period, which is consequently the maximum of the antiquity of every work in which the names of the Hindoo months are mentioned. Other observations, which were made at the same time on two of the planets, Mercury and Jupiter, give additional certainty to the determination of the epoch, which is stated with great appearance of probability to have been that of *Parāsurāma*.

The epoch of *Rāma*, which is perhaps the most celebrated in the annals of Hindostan, is determined from three different occurrences—his birth, his manhood, and the war between the gods and the giants which then took place. At his birth, we are informed by the *Rāmāyana* of *Vālmīka*, (the composition of which is incidentally fixed at A. D. 295,) that five of the planets were in their houses of exaltation. This location occurred, according to Mr. Bentley, on the 6th of April, in the year 961 B. C., two of them only being advanced a few degrees beyond the limits. We observe, however, that the Moon is stated to be exalted in Cancer, instead of in Taurus, which is erroneous, the former being merely her house and not her exaltation. At the period when *Rāma* attained the age of manhood, and his father, *Dasaratha*, wished to share the government with him, an eclipse of the Sun took place at the ascending node of the Moon, at or near the beginning of Cancer, the planets being then crowded together. Such was the position of the heavenly bodies on the 2d of July in the year 940 B. C., *Rāma* being then twenty-one years old. The date



of the war between the gods and the giants is also determined by means of an eclipse, the goddess Śrī, or Lakshmi, being at the same time born from the sea, and the planet Saturn from the shadow of the earth. The eclipse referred to occurred on Thursday, October 25th, in the year 945 B. C. On that day of the week, thence called Lakshmiwār, the goddess Lakshmi was born according to the Hindoo mythology; and Saturn was at the same time placed in the lunar asterism Rohini, which is also stated to have been his birth-place. To have noticed these, the chief points by which Mr. Bentley has been enabled to fix the epoch of Rāma, will be sufficient, without following him into the very able view which he gives of numerous circumstances connected with that most extraordinary fiction, the war between the gods and the giants, as delivered in the 'Mahābhāratta,' and translated by Mr. Wilkins; and of the commencement of which, the 'Churning of the Ocean,' a very spirited poetical version, may be seen in our Sixth Volume, p. 252. Neither is it necessary to do more than to advert to his explanation of the second, or Western war, as described by Hesiod, which seems to have occurred about 200 years after that of the East. These points, though exceedingly interesting, as forming the basis of the mythology both of India and Greece, are foreign to our present purpose, and must therefore be passed by to arrive at the age of Yudhist'hira.

Contemporary with Yudhist'hira, to whom is assigned by modern astronomers the remote antiquity of 2448, or even 3100 years before the Christian era, were the astronomers Parāsara and Garga. The date of the former is ascertained by his statement, that "the star Agastya, (Canopus,) rises heliacally when the Sun enters the lunar asterism Hastā, and disappears or sets heliacally when the Sun is in Rohini." Supposing the observation to have been made at Hastinapura, the then seat of government, which is situated a few miles to the southward of Delhi, it would fix the time at which Parāsara flourished to the year 575 B. C. That of Garga is determined to have been 548 B. C., by the positions of the planets for the commencement of that year, given by him in his 'Sanhita.' A new point is thus obtained, on which reliance may be placed in the construction of chronological tables.

It was not until considerably after this period that those divisions of time were first introduced into the chronology of the Hindoos, the perversion of which has led to such grossly exaggerated epochs, as are calculated to confuse and perplex every attempt at unravelling the intricacy of the early history. It appears that about the year 204 B. C., certain divisions of time were invented for chronological purposes, founded on the conjunctions of Jupiter with the Sun, and thence called Yugas; the commencement of each being determined by the month and the Moon's age at the time of such conjunction. These Yugas, or ages, were four in number, and may be reckoned as follows, ascending upwards into antiquity: the Kali Yuga, or first age, which terminated on the 26th of June, 299 B. C., commenced in 540; the Dwāpar, or second, commenced in 901; the Tretā, or

third, in 1528 ; and the Kritā, or fourth, on the 19th of April, in the year 2352 B. C. This latter year corresponding exactly with that of the Mosaic flood, Mr. Bentley concludes that it may fairly be regarded as pointing out the opinion entertained by the Hindoos two thousand years since with respect to the time of the creation. The periods assigned to the Yugas respectively afford an average of about twelve years to the reign of each of the kings, commencing with the Tretā Yuga, previous to which no sovereigns are enumerated.

A still farther division of time into Manwantaras, or patriarchal ages, was subsequently introduced about the year 64 of the Christian era. They were formed from the computed conjunctions of Saturn with the Sun, in the same manner as the Yugas had been from the conjunctions of Jupiter with that luminary, and were nine in number, the earliest commencing with the year 4225 B. C. The object of this is assumed to have been the assertion of a claim to an antiquity beyond that of the Mosaic account, the knowledge of which had just, previously to this change in the mode of computation, reached India through the medium of St. Thomas, who zealously preached Christianity in that country about A. D. 51.

But whatever may have been the effect of this innovation or the period assigned for the creation, it interfered not with the chronology of history. The reign of Ikswāku, which commenced the Trātā Yuga, commenced also the seventh Manwantara, both referring equally to the year 1528 B. C. Far different, however, were the results of the innovation which succeeded about A. D. 538. In the system of Brahma, with which commences the modern astronomy of the Hindoos, the creation was thrown back to the immense distance of 1,972,947,101 years before the Christian era, by the invention of a Kalpa of 4,320,000,000 years. By retaining, for several of the divisions of this Kalpa, the names previously employed for chronological purposes, Yudhist'hira was thrown back from about 540 B. C. to 3100 B. C. ; and, in like manner, Rāma was made to have existed 867,000, and Ikswāku upwards of 2,163,000 years before the Christian era. With such an antiquity, it is unnecessary to add, that no other nation can possibly compete. The system, therefore, has effectually answered the purpose proposed to themselves by the Brahmins of Ujein, by whom it was invented.

That so vast a deviation from what had been previously received as correct, should be at once admitted without opposition, could not be expected. Hence there exist traditions that books were hidden in wells, tanks, and other places ; but to no purpose, for scarcely any escaped the active search which was instituted by the framers of the new system. The introduction of this was, however, finally effected by the destruction of the older books, either entirely or in part ; by new modelling those which were allowed to continue to exist ; by expunging such passages as were calculated to cast a doubt on the new order of things, and introducing others which should tend to support it, an object which was also furthered by the composition of works having the appearance of antiquity, which were fathered upon authors

who were supposed to have existed at very remote periods. Such are the outlines of the extensive system of fraud and forgery which Mr. Bentley conceives to have been brought into action at the time alluded to; but which it appears to be almost beyond human power, how strongly soever supported by superstition and cunning, to effect. In that gentleman's opinion, however, the same system is still silently at work. The few facts recorded by ancient authors, which are available in the detection of the imposition, would not, according to him, have been allowed to escape the general wreck, had it been supposed that they were capable of conveying any knowledge of former times. From the eagerness of the present race of Brahmins in support of this monstrous system, which is not in the least inferior to that of their predecessors, he anticipates that the moment their value becomes known, the books in which they are contained will either be destroyed, or the facts themselves expunged. To their gradual discovery of the points on which the arguments of their opponents are founded, he attributes also the disappearance of many books that were in circulation not more than fifty years since.

The other branch of this system, that which assumes the fabrication of works to answer a particular object, may be received with less hesitation. Of the facility with which this may even now be effected, an instance is furnished by an astrologer who offered his services to Mr. Bentley; "but when he told me," he continues, "that his profession was book-making, and that he could forge any book whatever, to answer any purpose that might be required, I replied that I wanted no forged books; that there were too many of that description already; that I was extremely glad he was so caudid, and must decline his services in any way whatever. In the course of the conversation that passed, he made himself acquainted with Mr. Colebrooke's opinions that were in opposition to mine, which, it seems, he carefully treasured up in his mind. He went directly to Mr. Colebrooke's from my house, and there got into immediate employ, as he himself afterwards informed me. This will serve to explain the circumstance of the forged book (the 'Brahma Siddhanta Sphuta') being found by Mr. Colebrooke on the shelf, in his library, without his knowing that he had it."

That the period at which this system of almost immeasurable antiquity originated, was about A. D. 538, is proved upon the principles previously applied by Mr. Bentley to the 'Surya Siddhanta;' the mean age deduced from the errors in the positions of the planets, &c., divided by the differences in their mean annual motions, and the time at which the errors in their positions were least. The same methods are also applied to the determination of the times at which the 'Arya Siddhanta,' the 'Parāśara Siddhanta,' and the other principal works on Hindoo astronomy, were composed. To these we shall not advert, except to notice, that the correctness of the method pursued for ascertaining the dates, is strongly confirmed by the actual time at which the former of them is stated by its author to have been written. Neither shall we do more than notice the very

extensive illustrations which are introduced of the various modes adopted by the numerous authors for correcting and explaining away the errors which, originating in the radical defect in the positions of the planets, had successively developed themselves in the grand system. Highly creditable as these numerous and intricate calculations are to the industry of the author, whose views they are admirably adapted to explain and confirm, they would be misplaced in the present sketch, the chief object of which has been to point out the chronological epochs determined by Mr. Bentley; the astronomy of past ages being, in fact, scarcely of value, except as a handmaid to history. On this principle, we proceed to notice the facts from which is deduced the real epoch of Krishna, the most celebrated of the Avatars or incarnations of the deity; with which, and with a brief view of Mr. Bentley's opinions on the object of the Brahmins therein, we shall conclude.

At the nativity of Krishna, which took place on the 23d day of the moon of Śrāvana, in the lunar mansion Rohiṇī, at midnight, four of the planets, the Moon, Mars, Mercury, and Saturn, were in their houses of exaltation; and the positions of the other planets being also given, together with the sign ascending, the time of his birth is thereby fixed at eighteen minutes past one in the morning, of the 7th of August, A.D. 600. In this, however, as in the nativity of Rāma, noticed above, Mr. Bentley is in error with respect to the house of exaltation of one of the planets. That of the Moon is here correctly given as Taurus, but Mars is assumed to be exalted in Aries, instead of in Capricorn. That this error must materially affect the time of the birth of Krishna, cannot be doubted; we shall not, however, stop to inquire into the variation which its correction would produce. It is Mr. Bentley who speaks; and the epoch which he has assigned, agrees well with the objects he conceives to have been entertained by the Brahmins, who were probably sorely vexed at the progress Christianity was making, fearing that, if it were not stopped in time, they would lose all their influence and emoluments. "It is therefore," he says, "not improbable but that they conceived, that by inventing the incarnation of a deity, nearly similar in name to Christ, and making some parts of his history and precepts agree with those in the gospels used by the Eastern Christians, they would then be able to turn the tables on the Christians, by representing to the common people, who might be disposed to turn Christians, that Christ and Krishna were but one and the same deity; and as a proof of it, that the Christians retained in their books some of the precepts of Krishna, but that they were wrong in the time they assigned to him; for that Krishna, or Christ, as the Christians called him, lived as far back as the time of Yudhist'hira, and not at the time set forth by the Christians. Therefore, as Christ and Krishna were but one and the same deity, it would be ridiculous in them, being already of the true faith, to follow the imperfect doctrines of a set of outcasts, who had not only forgotten the religion of their forefathers, but the country from which they originally sprung. Moreover, that they were told by

Krishna, in his precepts, that a man's own religion, though contrary to, is better than, the faith of another, let it be ever so well followed. "It is good to die in one's own faith, for another's faith beareth fear."—Geeta, pp. 48, 49.

On this we had proposed to have avoided offering even a single observation, but it is impossible to refrain from inquiring, why, supposing that the time of Krishna must necessarily be fictitious, his person and history may not also have been a mere invention? Why prove that he must have existed in India contemporaneously with the Christians, who must, consequently, have been aware of the imposition, and against whom it could not, therefore, have been used in argument? And why should the invention of the antidote be delayed for upwards of six hundred years after the introduction of Christianity, the growth of which it is assumed to have been so well calculated to check? To reply to these questions might, however, lead to a discussion on points which it is not our wish to provoke, and we therefore refrain from entering into their consideration.

#### TO INIS—FROM THE SPANISH.<sup>1</sup>

##### I.

What shall I compare thee to?  
Moonlight<sup>2</sup>—that will never do!  
That is tranquil,—thou art never  
Calm for one half hour;—for ever  
Restless, reckless, thoughtless, ranging:—  
The moon is one *whole month* in changing!

##### II.

What shall I compare thee to?  
Sunbeams?—No! though one of two,  
I grant thou hast stolen—heaven knows how!—  
To diadem thy beauteous brow:—  
But thou art not of them—for they  
Shine on our earth (sometimes) a day!

##### III.

What shall I compare thee to?—  
I have it! yes! alas how true!  
Thou art that radiance on the sea  
That beautiful—how murderously—  
Smiles and shines, while snares and death  
Lurk its brilliant rays beneath!

<sup>1</sup> From 'Friendship's Offering.'

LETTER FROM A GERMAN PROTESTANT TO THE BISHOP OF  
CHESTER ON HIS LATE SPEECH IN THE HOUSE OF LORDS.<sup>1</sup>

—————Holy men, I thought ye,  
Upon my soul, two reverend cardinal virtues;  
But . . . . .  
Take heed, for heaven's sake take heed, lest at once  
The burden of my sorrows fall upon ye.

SHAKESPEARE'S HENRY VIII.

STRANGERS to the conflict which religion has excited in so enlightened a country as Great Britain, we would not have addressed the following humble remonstrance to your Lordship, had it not been evident that the result of the discussion on the Catholic claims, so far from being a subject of grief to the Catholics of Ireland, is rather, with the exception of a short interval of irritation, a subject of triumph and of joy, if the Catholics are really the bigots which you, and those on the same side of the question, maintain them to be. Such, at least, is the impression which the discussion in the House of Lords has produced on the small number of fanatics of that religion amongst us; and if it be true that doctrines, repugnant to humanity and good sense, may injure a religious profession in public opinion, as much as the most horrid crimes, our grief will not allow us to conceal that, in like manner as St. Bartholomew's day is constantly held up to Catholics, the fanatical speeches in favour of intolerance, pronounced by many of our English brethren, may now be held up to us.

We cannot seriously believe, we dare not even suspect, that it was the real intention of your Lordship to vilify the Protestant religion, to exhibit it in the most odious aspect, to dishonour it, by pretending that from the moment it was deprived of its riches, and of the monopoly granted to it by Government, that moment it would totter to its base. No, my Lord, such was not your intention; and we doubt not, when you have dispassionately reflected on the ill consequences of your language to your religious brethren; when you consider that, inadvertently, no doubt, you have put into the hands of the Catholics the same arms with which we so victoriously fought them in the sixteenth century; and that your speech is, word for word, the same with the doctrines so successfully refuted by us at the commencement of the Reformation: if you should deign to reflect on the incalculable evil of such doctrines professed by the Apostles of our belief, on the disgust and horror they inspired, and on the false light they throw on the Reformation, we doubt not that your Lordship, setting an example of apostolic humility, will hasten to cure, by a solemn recantation, the deep wounds inflicted

<sup>1</sup> Speech on the Catholic Question, delivered on the 17th of May, 1825.

by your language on our cause. We have, in vain, endeavoured to distinguish in your speech between the statesman and the divine. With what joy would we not have seized on every opportunity of attributing to the troubled foresight of the one, what was directly opposed to the evangelical charity of the other! But all our efforts to apply this corrective to the disastrous night of the 17th of May have been in vain; and we dare not attempt, before the tribunal of present and future times, a task which is evidently beyond human power. A few considerations will convince you of the truth of this.

That part of Europe, which my Lord Colchester confusedly calls the Continent, consists of various countries,—of France, Austria, Prussia, the Low Countries, Switzerland, &c., each having a different form of government. This distinction, which is no great novelty to us, becomes, however, of great importance, when my Lord Colchester speaks in such language as the following:—"You have been asked," said his Lordship, "to look at the Continent, but the summary manner which is there employed in instituting a process against any one, renders this comparison inapplicable to England. In countries where the sovereigns are despotic, any danger which presents itself is easily repressed, and the supreme power thus defeats the projects of disloyalty."<sup>2</sup>

Amidst so many strange theories, religious and political, collected that night, this assertion might probably have passed unnoticed; it embraces two distinct points: a fact, and a deduction from that fact. It belongs to posterity and his fellow-citizens to judge a Peer of England, whose opinion, in other words, amounts to this:—"You are placed, my Lords, in the alternative of choosing either liberty without toleration, or toleration without liberty." It is not for us to inquire which horn of so odious a dilemma will please the enlightened portion of the British public; but it is our part to maintain that the base of this gothic edifice is entirely imaginary; that it is very erroneous to say, that in all the countries of the Continent where the two religions are equally tolerated, a process may be instituted against any one in a *summary manner*; and that it is still more erroneous to confound all the governments of the Continent under one form, as there is not the smallest pretext for terming the governments of the Low Countries and Switzerland despotic. If his Lordship would previously devote himself to the study of a few foreign languages, to enable him to judge more correctly respecting systems of government and countries, we would invite him to make a tour on the said Continent; but if he will not take this trouble, we should be very loath to give such advice, lest, on his return to England, he bring back notions similar to those he collected in Italy, and afterwards unfolded in one of those learned speeches which astonished all Europe. We should also fear lest the same weakness of memory,

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<sup>2</sup> Vide 'Courier,' May 18.

that attributed to Bossuet<sup>3</sup> a funeral oration which is the glory of Massillon, two men completely opposed in genius and character, would injure that clearness which is so necessary in the classification of facts, and that, on his return home, his Lordship would confound all that passed in different countries, under the general name of "the Continent." Having, therefore, no hope of converting my Lord Colchester to the belief, that there are different forms of government on the Continent, we shall here quietly content ourselves with certifying that, as respects ourselves, at least, the fact is well known.

We shall go yet further, and assure your Lordship that it is equally certain England is not the only country which has had to maintain religious struggles, both furious and bloody, in less enlightened ages; and that it is only in the speeches of the friends of intolerance in England, that, to our surprise, we have found such a distinction employed as an argument, having till now been constantly taught that no country has been agitated by religious wars so long and fatal as those of Germany. When all submitted, almost without a struggle, to Henry VIII., Charles V. was fighting and dragging captive the princes of the Reformation; we had imagined, in short, that the thirty years' war was, in its kind, a period of unparalleled calamity.

These historical truths being once established, it is evident that if arguments taken from the past should influence a statesman in a more enlightened age, and justify the intolerant and jealous rigour of his opinions, it is rather in Germany and the Low Countries than in England, that sentiments so repugnant to humanity may be accounted for by that political necessity which Milton, in the mouth of his *Satan*, calls the *Tyrant's plea*. In fact, my Lord, the very origin of the greatness of the houses of Hohenzollern and Orange is owing to the Reformation, as the preponderance of the imperial court arose from the devotedness of the Catholics. Yet, if a minister or statesman, in either of these countries, should emit an intolerant sentiment, or call the Catholics papists, or the Reformed heretics, he would not only be excluded from the counsels of his sovereign, but overwhelmed with contempt by all enlightened persons of his creed; and if by chance there existed so mad a law as to render it indispensable on every public servant to declare, in his oath of fidelity, his belief in the Eucharist, the worship of saints and images, or in similar dogmas,—and any statesman should seriously wish to re-establish or defend such relics of barbarism, he would be thought mad, and looked upon in the same light as a physician who refused to bleed his patient, lest the mass of his blood should be for ever after diminished, because formerly such was believed to be the

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<sup>3</sup> According to Lord Colchester, it was Bossuet who pronounced the funeral oration of Louis XIV. Vide 'The Courier,' May 18. But there is no end to his blunders; vide his 'Opinions on Italy.'



effect of bleeding. There is not a village in Germany, where such a man would be allowed to exercise his profession.

From these considerations, we feel it impossible, to our great regret, to ascribe to the statesman a language which we are very unwilling to attribute to the minister of the altar. But such a deluge of church petitions,—those deans, archdeacons, and canons, who, unsupported, came up to the House of Peers, as suppliants in favour of intolerance,—all this, unfortunately, leaves no doubt on our minds as to the motive of such scandals to Christianity.

We know, my Lord, what the priests did in Egypt and in ancient Rome; we know that, misled by the same intolerance, they have been seen lighting the fires of the Inquisition; we, unfortunately, know also the history of Calvin, and of Henry VIII. in his religious capacity; but we had hoped the time was past when similar outrages could be perpetrated in the face of civilized Europe; we had hoped, my Lord, that the mere force of the ridicule to which a man is exposed who shows himself so zealous for the good of his country in a cause which is evidently that of his purse—the indelible ridicule attached to those pretended pleaders for the public good, vulgarly termed *pro domo sud*, would have had the effect of stopping the torrent.

It is notorious, that if French or Austrian clergymen had ventured in the present times, to present petitions to their governments, in order to deprive dissenters of the political privileges belonging to them as citizens, the voice of public indignation would have done justice to the impudence of the demand. It is with feelings of profound regret, therefore, that we have witnessed the Reformation commit a scandal which Catholicism would no longer venture to perpetuate; and we beseech your Lordship to reflect on the consequences of so great a misfortune, persuaded that, whatever may be your attachment to your country, it cannot, as a clergyman, render you indifferent to the peril and the defamation to which you have voluntarily exposed, by your language, that Reformation of which you ought to be one of the firmest supports. In examining your fatal speech, we shall pass lightly over the diction and the arrangement. Doubtless, we regret that your Lordship's memory should have been loaded with poetical extracts so ill selected; and our regret is the greater as, in your illustrious country, its great orators have particularly distinguished themselves by the elegance of their quotations; witness the speeches of its Burkes, its Pitts, its Foxes, its Sheridans, and its Cannings, which are not only adorned with recollections of the classic authors, but also with their finest passages.

In examining the quotations scattered in your Lordship's speech, we think it would not have been surprising if your learned colleagues, impatient at such a selection, had exclaimed, in the words of Queen Catharine—

O, good my Lord, no Latin!

For your own sake we deplored the *fixo gutture frumant*, which it has pleased your Lordship to quote, and which we have no desire to remember; and we would have preferred, for the sake of elegant Latinity, that in place of the *hic fons et origo malorum*, you had recollected the much purer verse of Horace to the same purport—

Hoc fonte derivata clades  
In patriam populumque fluxit.

We were not particularly struck at the comparison of the rat with despotism asleep, and still less so with the humorous metaphor applied to your opponents.

Were the subject less grave, and your Lordship's person less venerable, we should boldly apply to these and other passages the *humili sermone tabernas*; and we maintain that the character of the orator, and above all that of the subject, imperiously demanded a more elevated style, and figures more chaste and select.

But our grief shall not render us unjust, and we are ready to admit the apology you may offer to the lovers of true eloquence, as to the oratorical defects of your speech. We frankly avow that it would be unjust to make this a cause of individual reproach. We know, with all Europe, that the want of eloquence in the clergy of the most eloquent nation of modern times, and the absence of literary genius from that class, belongs, as it would appear, much less to individuals than to the side of the House which you occupy. Indeed, my Lord, if England commands all the markets of Europe, by the abundance of her capital, and the excellence of her productions, she sways, in our times, in a much higher degree, the taste of Europe by her literature. Not only her poets, but all her illustrious prose writers, are translated into all languages; and what is still more remarkable, these translations, although excellent, are less read within these few years, in proportion as the works in the original have been printed and circulated in various shapes, in all parts of Europe.

Shakspeare, Milton, Byron, Moore, Robertson, Hume, Adam Smith, and many others, are almost as deeply studied on the Continent as in England itself. There is not a well-educated man, a contemporary of the great men, who have raised the English tribune to a rank with that of Greece, whose memory could not supply him with many parts of those eloquent speeches, the glory of the present and preceding reigns.

There is one branch of English literature, however, which affords no supply to the growing demand for its productions. From the time of Dr. Blair<sup>3</sup> and the amusing gossip of Bishop Burnett, Eu-

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<sup>3</sup> Somewhat inappropriately quoted, being a Scotch clergyman, between whom and the English clergy there is a vast difference, both in pay and in labour. Heaven grant the time may soon come when Christianity shall be left to the unbought support of its honest ministers, and some of these will never be wanting.—T.R.

ropean editors and translators have been unable to discover any remarkable work proceeding from the pen of a churchman.

It shocks us to admit the supposition of some Catholic writers, who maintain that this invincible sterility is a natural consequence of the barrenness of our creed; your Lordship would, no doubt, much rather account for it by referring to the numerous domestic cares to which the lives of reverend prelates are consecrated; their political labours in the House; and, above all, the government of their vast estates.

Between an alternative so little favourable to the Reformation, and another more comfortable and rational, you will, doubtless, prefer the latter, and say with Horace—

———Au, hæc animos æruso et cura peculi  
Cum Semel imbuerit, speramus carmina fingi  
Posse linenda cedro et levi servanda cupresso ?

Putting aside, therefore, the examination of your speech, as regards taste and eloquence, we shall merely offer to your Lordship a few observations on its principal arguments, particularly so far as they are injurious to the honour, the glory, and even to the well-being of Protestantism; we shall deny nothing that has been advanced, and take for granted every thing you have admitted.

The first thing that strikes us in your Lordship's speech, is its strange charge with respect to the lay peers of the House. Is there, then, any thing blameable in those peers watching over the security of their possessions; or that they esteem the guarantee of this security to be the free enjoyment, by his Majesty's subjects, of the same rights and privileges? Has the danger occurred to your Lordship of the strange admission that has escaped you—that the ministers of the altar cling, with the self-same tenacity, to their comfort upon earth? Do you think that the Protestants of all Europe, nay, of the most bigotted and ignorant of any parish-church in England, will not remember, that at the very time when you thus spoke, the Catholic Bishops of the Gallican church, with rare wisdom, suppressed in the ritual of their king's coronation, every thing exclusive in favour of the clergy? and will they not contrast with this the mortal fury of a Protestant Bishop in defence of the exclusive privileges of his own body? The riches of the French clergy has done much injury to its illustrious members; injustice has not spared them; but we know, nevertheless, that the poor of France, where there were no *poor rates* to burthen the richer class, were maintained solely by the unbounded liberality of the clergy. Can it, then, be very edifying to find, in a Protestant Bishop, such an attachment to the perishing and corrupting goods of this world?

Your charge is followed by a still more extraordinary argument: "Since it is a question of right, what matters it," says your Lordship, "whether the Catholics amount to five or six millions?" And you say this at the same moment while maintaining that there is no political right which may not be modified on the ground of expediency. If this latter hypothesis, therefore, be true, how can the

number be indifferent, and with what justice can you reproach your adversaries with showing its importance?

It is possible that the study of dogmatic and particularly exclusive theology may leave no time for the study of mathematics; but your Lordship will allow those who respect the latter science, to attach some importance to *numbers*. A mathematician would tell you, that if, in two countries, each of which is inhabited by twenty millions of inhabitants, there should be in the one only five dissenters, and in the other five millions; and if the question which occupies us were in agitation there, the reasons for the government of the country acceding to the demand would be as  $\frac{5}{20000000}$  to  $\frac{1}{1}$ . Will your Lordship's horror at modern civilization lead you so far as to attack the mathematical spirit of our age, of which it is so jealous?

This objection to numbers, is followed by your truly paternal observations in favour of the reforms to be introduced in Ireland. We think them all excellent, and would be very far from applying to them the celebrated lines of Shakspeare in the mouth of persecuted virtue, and applied to Cardinal Wolsey:—

—————“He was never,  
But where he meant to ruin, pitiful.”

These observations of your Lordship are concluded by an indirect attack on the diffusion of knowledge among the lower classes.

“No,” say you in nearly the following terms,<sup>4</sup> “the Irish peasant, overwhelmed with his own private distresses, would have remained ignorant of the restrictions imposed by law on those of his persuasion, and would for ever have remained ignorant of them, had it not been for the deep machinations of the Catholic Association.” We could have wished, never to have read this passage; we should have doubted its authenticity, but it has been repeated in all the journals, and nearly in the same terms. How is it possible, that a Protestant Bishop should publicly avow his opposition to the circulation of any species of knowledge or truth whatsoever? Is it not among the most sacred duties of your profession to maintain the contrary? and what shall we say to all the bloodshed, the calamities, and the struggles of three centuries, since the doctrine of your Lordship is so perfectly in harmony with that of our adversaries of the fifteenth century?

We really do not know what to think of your opinions; and unless your words have a different meaning from that which their natural construction would express, the zealous friends of the Reformation have some reason to fear lest your Lordship's object be the undermining and destruction of the Protestant religion. Indeed, my Lord, a little more, and you would have gone so far as to say that thirty or forty Catholic members in the House of Commons would be sufficient to overturn the Protestant church; and you con-

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<sup>4</sup> Vide ‘The Courier.’

clude with a still more strange assertion, that Providence will protect the Protestant faith only so long as the English church performs its duty; that is, so long as it is exclusive and intolerant.

But we solemnly protest against such a conclusion. We declare that it does not depend on the English bishops to direct, in this manner, the designs of Providence; and whether they do their duty or not, the cause of the Reformation will not the less maintain itself in England, as in every other nation where it has once been diffused. It is unjust, and a libel on our faith, thus to assert that its safety, in England, or elsewhere, depends on the riches or prosperity of any set of clergy whatever. So long as there is a Bible to be read, truly pious men to preach its doctrines, and the gift of reason to direct us, the Reformation will have no cause to fear the thirty Catholic members; although much may be apprehended from the scandal and disgust produced in some weak, though well-meaning, minds, by the outrageous speeches of its pretended friends. In taking leave of this painful examination, we may add, that our teachers of morals will be surprised at the doctrine of your Lordship, that every oath is obligatory, and that, consequently, a man who had taken an oath of assassination is bound to fulfil it.

Do, my Lord, we beseech you, re-peruse your speech, which has given so much pain to every enlightened Protestant; summon to your aid your own reflections, and every virtuous feeling, in order, that by an honourable recantation, you may settle our agitated minds; establish our doctrines, which have been so compromised; and heal our charity, which has been so wounded.

In the mean time, it becomes us, on our part, to leave no doubt respecting our sentiments. Although obscure, it is not on our talents that we rest our hopes of being read; our subject is too grave, and of too much importance for the cause of the Reformation in general, to permit us to think that this little tract can remain unknown; and should we attribute sentiments to our fellow-worshippers, in which they do not acquiesce, they will not fail in solemnly disavowing them.

We declare then, my Lord, that if we know the sentiments and doctrine of the enlightened part of the numerous Protestant population of Germany, there is not one among them who would refuse to sign the following declaration:—

“That all the pious dissenters from the Catholic church in Germany have put up their prayers to heaven, that the good work begun by the House of Commons might be finished, and that the stain of persecution and intolerance might be for ever effaced from the annals of the Reformation; that such are their sentiments, founded on an intimate knowledge of their religion, abstracted from any other consideration, or any feeling of fraternal solicitude in favour of the Catholics; moreover, considering that the majority of the European states are of a different creed,—humanity, sympathy,

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<sup>5</sup> It was originally published in French.—Tr.

and religious affection, all demand it of them as a sacred duty, not to lose sight of the consideration that their fellow-worshippers may suffer, sooner or later, in a greater or less degree, from every intolerant doctrine they may profess; for how can they claim for themselves an equality of political rights, as founded on reason and justice, if it is shown, that wherever they have the power, they are equally guilty of that hatred and hostility so contrary to the precepts of our Saviour; that they regard it as an abominable profanation to make the house of God a conventicle, a den of conspiracy against their neighbour in general, and more particularly against Christians, their brethren;<sup>6</sup> that they disclaim, as foreign to their faith and morals, the errors, the false doctrines, and injurious expressions, brought forward by self-interested men, in defence of a cause which is not that of Protestantism, under the hypocritical pretence of serving God and religion; and they can only fully account for the existence of such an evil, by referring it to that Providence who permits the plague to devastate the finest countries of the world; the most fondly-cherished objects to be snatched from our arms by an untimely death; and the finest characters of our species to be occasionally disfigured by traits of weakness or cruelty. They, therefore, think that such a terrible phenomenon, in a country, in other respects, which is the honour, the glory, and the model of civilization,—has been permitted, as a lesson of humility to us as men and as Christians."

Such, be assured, my Lord, are the sentiments of all our pious brethren; and if it had been possible for *us* to have presented a petition to Parliament, it would have at least equalled, in point of numbers and disinterestedness, that of the chapel of Charlotte-street.

But, although time flies swiftly, a few hours may still remain for removing from your consecrated head the greatest of misfortunes. An illustrious warrior was above the baseness of dissimulation, and we thank him for it! He has shown you the road in which you are walking;<sup>7</sup> he has pronounced the fatal word, and that word, my Lord, invites to battle and to bloodshed. We would have thought, that, warned by such a speech, every clergyman would have shrunk back with horror; and that, however he might have been induced from other considerations, he would not have dared to enter on a career which might terminate in *bloodshed*—in *Christian blood*; he would not have dared, we repeat, to assist in inflicting evils on our age, which, we had hoped, were for ever banished from Christendom! If the inflexible rigour of the law should, nevertheless, fall on only one victim in consequence of your speech, think, my Lord, what a frightful aspect would be presented to our Protestant brethren, by the sight of your bloody robe!

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<sup>6</sup> The writer here, no doubt, alludes to the practice of meeting in churches for getting up anti-Catholic petitions.—Tr.

<sup>7</sup> See speech of the Marquis of Anglesea, May 17.

But we here conclude our respectful remonstrances; for we are persuaded, that, enlightened by the opinion of every wise and benevolent man in Europe, whose sentiments are all in accordance with the illustrious orators in the English Parliament who maintained the cause of knowledge and of toleration; and, above all, enlightened by the dictates of your own better feelings, your Lordship will not hesitate to make a sacrifice of self at the shrine of your high vocation, and thus remove those evils which would prove a subject of grief and shame to the whole of Protestant Europe.

AN INHABITANT OF THE BANKS OF THE RHINE.

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THE MOTHER'S GRIEF.—BY THE REV. T. DALE.

(From '*Friendship's Offering*.')

To mark the sufferings of the babe  
That cannot speak its woe;  
To see the infant tears gush forth,  
Yet know not why they flow;  
To meet the meek uplifted eye  
That fain would ask relief,  
Yet can but tell of agony,—  
This is a mother's grief!

Through dreary days and darker nights  
To trace the march of death;  
To hear the faint and frequent sigh,  
The quick and shortened breath;  
To watch the last dread strife draw near,  
And pray that struggle brief,  
Though all is ended with its close,—  
This is a mother's grief!

To see in one short hour decay'd  
The hope of future years;  
To feel how vain a father's prayers,  
How vain a mother's tears;  
To think the cold grave now must close  
O'er what was once the chief  
Of all the treasured joys on earth,—  
This is a mother's grief!

Yet, when the first wild throb is past  
Of anguish and despair,  
To lift the eye of faith to heaven,  
And think, "my child is *there*;"  
This best can dry the gushing tears,  
This yield the heart relief;  
Until the Christian's pious hope  
Overcomes a mother's grief!

## PANDURANG HARI; OR, MEMOIRS OF A HINDOO.

ALTHOUGH the merits of this work would not entitle it to a moment's attention, two circumstances induce us to bestow on it a short notice. It professes to be the 'Memoirs of a Native of India,' written by himself, and clothed in an English dress by a person familiar, from personal experience, with the language and manners of the East. Secondly, the translator or editor states, in the preface, that "his Indian friends will be able to confirm the truth of many of the leading details, because they must discover allusions to real facts which have taken place, to their own knowledge, in our Eastern empire." These two things combined tend to give the stamp of reality to the scenes and occurrences, linked together in the form of personal narrative. The experienced novel reader will readily guess that the first is no better than a very old contrivance to give a factitious interest to the work. We should not have quarrelled much with this stale stratagem, if it had been conducted with any kind of art and judgment. For, why should not the East as well as the West have its Jedediah Clieshbothams and Dr. Dryasdusts? But this, at least, may be justly exacted, that every such personage gratuitously thrusting himself upon the stage should play his part well. In this case, unfortunately, they take up parts which they are perfectly unqualified to support, and produce monsters such as never were seen in the East. 'Pandurang Hari,' the pretended auto-biographer, is an exotic who never could have sprung up in that soil. He is merely a European with his face blackened, and disguised in the native garb; an Englishman awkwardly mimicking the language, and bedaubing his assumed character with the vices of the Hindoo.

If fiction be ever entirely innocent, there can, at least, be no question that it is not so when employed to the injury of others. What should be said, then, of the author of this work, who invents imaginary characters for the purpose of portraying themselves and their countrymen in the most odious colours? These vile caricatures he gives out as real pictures painted by the people themselves, and lays them as such before the British public, who are the sovereigns and guardians of the happiness of that people; and as, for the most part, we can only see them through the medium of written descriptions, the person who avails himself of that medium to distort our vision, and by fiction render this distant people hateful in our eyes, is surely guilty of a fraud of no ordinary magnitude and criminality.

In a similar case, that of the 'Temple of Gnidus' introduced as a pretended translation from a Greek manuscript, Rousseau observed, "*Il faut detacher du public instruit, des multitudes des lecteurs simple et crédule, à qui l'histoire du manuscrit, narrée par un auteur grave avec un air de bonne foi, en à réellement imposé, et qui ont bu sans craint dans une coupe de forme antique le poison, dont*



ils se seraient au moins défiés, s'il leur eût été présenté dans une vase moderne." In the same manner, those who would listen with distrust to the invectives of a foreigner against the character of a people, may drink them in with unsuspicious ears when they proceed from the lips of a Native. But in this case, the great redeeming quality of the work is its utter stupidity. The illusion is never kept up for a single moment. The reader is never allowed to forget that the speaker is an Englishman in masquerade. Though he assumes various characters, his own voice and sentiments still betray his identity, notwithstanding the various disguises which he attempts to put on. There is consequently no real delineation of character; the personages differ from each other only in the merest externals, but are in the main points still the same. The Musulman swears by "Allah," and the Hindoo by "the holy cow;" they commit a greater or less number of frauds and murders; but, generally speaking, they are all equally villains, alike destitute of humanity or good faith; and, strange to tell, in a land sunk in superstition, usually devoid of any sentiment of religion! These unnatural personages appear even to have a profound contempt for their own prejudices, their own customs and constitutions, and an equally profound adoration of all that belongs to the "Toope (Topee) Wallas." The author, who falls into such absurdities, was evidently not born to paint "the hues of many-coloured life;" he has no faculty of disembodying his mind and transmigrating into the spirit of his hero. He cannot bathe his imagination in the ocean of circumstances that surround him, and feel the waves and currents of passion and prejudice by which he is propelled. A mere spectator on the shore, he looks down upon the natives of India as upon inhabitants of another element; and as one of the rulers of the land, a dweller in upper air, he regards with the most supercilious contempt the "swinish multitude" grovelling below. It does not once enter into his mind that they may view him through an inverted telescope, by which, in their eyes, the magnitude of his own virtues, and their own vices, may appear the reverse of what they appear to him. He cannot conceive but they must have for him the same admiration, and for themselves the same contempt, which engross his own narrow mind. To give a few instances of what we mean:—

The hero of the tale, as a matter of course, one of the most respectable characters in it, is made to commence his career by cheating his servants out of their pay, and his master out of his money at the same time. His friend, a *carcoon* or fellow-secretary, whom he consulted, told him "it would be a good plan to get Sawunt Rao Maharaj (their chief) to grant you some to pay these fellows, and you can keep it yourself. It will occur to the reader (says he) that I had now been some years with Sawunt Rao, and having been gradually initiated in Mahratta roguery, it will not be matter of surprise that I entered into this scheme with true Hindoo delight." This self-condemnation from a Mahratta and a Hindoo! But it agrees very well with the author's opinion expressed in the preface, that "from the

rajah to the ryot, with the intermediate grades, the natives of India, are ungrateful, insidious, cowardly, unfaithful, and revengeful." As a proof of the latter, he makes his fictitious Hindoo speak of "his Mahratta spirit of revenge burning within him." (p. 140.) With equal fidelity of description and good taste, he makes another of his personages, Fuzl Khan, who boasts of being "a true Musulman," repeat *con amore* the most arrant abuse of the "dirty Moham-medans." (vol. ii. p. 40.) At another place, the natives of an independent territory are made to lament the prospective introduction of British rule, because of its vast superiority to their own system. One is made to say, there would then be "no fees, no fines, no bargaining with soucars and bankers, to keep the coombies [cultivators] eternally in their books. We must not flog them, and torture, after the manner of our fathers, those who are obnoxious to us." Thus extortioners and oppressors are made to depict their own cruelty in the most revolting colours; native tyrants about to be put down, extol the comparative happiness the country will enjoy under their British conquerors. Criticism would be thrown away on a writer who, in almost every page, so grossly outrages truth and nature. We shall proceed, therefore, to give merely an outline of the story, without stopping to remark on the monstrosities with which he has filled up the canvass.

The hero of it, Pandurang Hari, who professes to write his own memoirs, picks himself up romantically enough at the age of four years wallowing in the mud, under the hoofs of a troop of bullocks and horses. His deliverers from this perilous situation recognise him to be "a true Hindoo," from a red mark on his forehead, for he could give no account of himself. What particular caste he means by that of "a true Hindoo" we know not; but he tells us immediately after, thinking that explanation enough, "had I been of a different caste than I was, that of a Choomar or Sudra, for example, I should have been left to starve." His red mark and true Hindoo-ship, however, stand him in good stead. He falls into the hands of Sawunt Rao Gopal Rao, one of Holkar's chieftains, by whom he is so very kindly treated, that he begins to look upon himself as one of the Rao's sons. As a proof of the early distinction he enjoyed, he received his education till his sixteenth year, from the "mahonhut," or elephant-driver, who taught him to read and write. Then having made "considerable proficiency in his studies," under so respectable a tutor, he enters upon public business, by assisting his benefactor's chief *carcoon*, or clerk, to sort out and direct despatches. He soon after became a sort of deputy-carcoon himself, and took care, with "true Mahratta roguery," to mulct those well who sought an audience of his master. One petitioner of this kind having failed to obtain redress, threatened to be avenged of the deceitful carcoon, and for this purpose proceeds to a tree, whither it was his custom to breathe the fresh air in the cool of the evening. Pandurang seeing an armed man approach with a threatening aspect, climbed up quietly

and concealed himself among the branches of the tree, where he overheard the following soliloquy, in a low murmuring tone :

"Not here ! I am too early. I can wait till he comes. I know my information is correct. He comes here every evening to meditate some fresh villany no doubt.—Well ! as I could not obtain redress, and was plundered for attempting to assert my rights, this dagger, thanks to Hanooman,<sup>1</sup> has given me vengeance. My enemy is quiet enough, unless he has met with a god on the *mota bowrie* (a deep well). That young villain, Pandurang, shall keep Tulsajee company." There he stopped, and I almost fell from the branches of my refuge with fear, when I discovered this man to be no other than the petitioner who so handsomely rewarded me on his coming to demand justice of my master. His case, notwithstanding his bribes and the profuse way in which he distributed his *nugd*, (ready cash), remained entirely neglected till that hour. Fancy may depict the fear I felt, and the breathless terror that came over me, when I reflected that the creaking of a branch, or the rustling of a leaf, might betray me. The evening was still and silent as the grave. A cold perspiration stood on my forehead : the insect that fluttered around me, whose wing at another time would have been inaudible, seemed now to fill my ears with its hum, so alive was I to the minutest sounds.

The situation is well conceived ; and we may here remark, that he has a great trick of getting up into trees and overhearing all manner of interesting secrets that may turn out to his advantage. Real persons are seldom so lucky. The disappointed suitor having soon got tired of waiting, went to a popul tree a short way off, there buried the treasure of which he had robbed his enemy, and then went his way. When he was fairly gone, Pandurang came down and went home in safety. He afterwards returned for the treasure, amounting to two thousand rupees, which he had seen concealed, and then contrived to get the person he had deprived of it hanged, as, from the loss, he was unable to ransom his life. Pandurang, having concealed this twice stolen treasure under his mat, was himself again robbed of it by the head carcoon, called Govindah, who at the same time charged his fellow "carcoon" with the murder of the original owner, Tulsajee. As the probability of this charge was strongly corroborated by the bangles and other ornaments belonging to the deceased, identified by his son, Pandurang himself very narrowly escaped hanging. Though let off, he was dismissed from his official situation, and thereafter became clerk to a corps of five thousand men, under another of Holkar's chieftains. He then set out for Indore, his capital, and we have the following description of a Mahratta army in marching trim :

A Mahratta army consists in general of horse and foot of every neighbouring nation, religion, and costume. In truth, it makes a very motley appearance, as it is under no discipline, and destitute of a regular uniform. Few of the men in the same line, either cavalry or infantry, have weapons of a like form. Some are armed with sword and shield, others with matchlocks or muskets ; some carry bows and arrows, others spears, lances, or

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<sup>1</sup> The name of an idol in the form of a monkey.

war-rockets. Many are expert with the battle-axe, but the sabre is indispensable to all. The men in armour, of whom there are many to make up the variety, cut a very curious appearance. A helmet covers, not only the head and ears, but protects the shoulders. The body is cased in iron network, or in a thick quilted vest. They give the preference to a straight two-edged sword before the curved one used by the Persians and Arabs. They have no regular commanders, according to the rule of seniority. The principal officers are called *jummahdars*, some of whom command five thousand horse; others, with the same title, but five hundred. Every rajah, prince, or leader, is responsible among the Mahrattas to the Peishwa, or head of the empire, for his general conduct. He pays tribute for his district, and attends when summoned with his quota of men, which is regulated by his wealth and population. He is supreme in command over his corps, which is attached alone to him and to his fortunes, and adheres to whatever party he supports. The Mahratta camps display a variety of standards and ensigns. Each chief is distinguished by his own. Red is the prevailing colour, cut in the shape of a swallow's tail, and decorated with *zurree puttah* (gold and silver tissue).

They soon came in contact with the forces of Scindeah, who, in 1801, had collected an army on the Nerbuddah to oppose the growing strength of Jeswunt Rao. Holkar's party being miserably armed and equipped, were soon worsted, and, in the confusion of the fight, cut each other to pieces. Among the mortally wounded, was Pandurang's benefactor, Sawunt Rao, who, before he died, had sufficient consideration to direct a silver "kurdoorah" (or chain for the waist) to be taken from a box and given to him, which had been round his body when he was found among the bullocks. Pandurang received, with tears of gratitude, this precious token, which might enable him one day to find out his birth and parentage.

In 1802, Holkar having again taken the field, gained an advantage over Scindeah, but failed in his object of getting the Peishwa into his power. Afterwards he entered into a confederacy with Scindeah and the Rajah of Berar, to compel the Peishwa to annul the treaty of Bassein, but their forces were opposed and cut to pieces by the English, in successive engagements. Pandurang, disheartened with the ill fortune of his party, abandoned the military life. While wandering about, in search of employment, he fell in with a gossein, or religious mendicant, one of a class who, by the profession of sanctity, and of mortifying the flesh, draw largely upon the credulity and piety of the people. This gossein, calling himself "Gabbage Gousla," happens to be Pandurang's uncle, although the relationship between them is entirely unknown to both. They agree to travel together as gosseins, to Poonah, where, however, they soon separate, after the elder of the two had contrived, as usual, to swindle the other out of his rupees. Before bringing these amiable kinsmen again in contact, let us trace the history of the other up to this point.

Gabbage Gousla's real name was Gunput Rao, and he had a brother named Sevaje, (we suppose Sevajee,) both of whom were zumeendars in the rajaship of Satarah. Their estates lay contiguous to each other, and Gunput began his course of villany by depriving

his brother of part of his property, through the corruption of a punchayet. We may just stop to remark, that the punchayet is a favourite theme of abuse with this novelist, whose aversion to it is in proportion to his ignorance of the real nature of the institution. Had it been called by the name of a jury, Pandurang, with Hindoo title and English prejudices, would have lauded it to the skies. Now, each of the brothers had a son: that of the elder called Jeoba, that of the younger Mahadeo. It being proposed to betroth the former with a girl named Sagoonah, the daughter of a Nagga Brahmin, held in high estimation among the people on account of her caste, Gunput endeavoured to thwart the match, and procure the honour of this alliance for his own son, Mahadeo. Having failed in this, he way-laid his brother and nephew, in order to murder them; stabbed the former, and carried off the boy, then aged three or four years; but, a party of men coming up at the instant, he had not time to make away with the child, in effecting his own escape, and threw him hastily among the feet of some bullocks which happened to be hard by, in the hope that they might trample him to death. The reader will perceive that this Jeoba turns out to be the famous Pandurang Hari, who is picked up by the pursuers, and, after an interval of many years, has his identity established by means of the silver "kurdoorah," or chain, which had been girt round his loins at the time of the above adventure. However, both he and his father were long supposed to be dead, as Gunput gave out, that while travelling together they had all been attacked by assassins, from whom he only had with difficulty escaped alive, severely wounded; and, to give credibility to this story, he had cut and maimed himself in different places. Nevertheless, the father of Sagoonah, the betrothed of the nephew, threatened to cause an investigation into the matter. Gunput therefore took him off by poison; and as his wife thereupon became a suttee, he who shortened the days of her husband, and consequently of herself, describes the exultation with which he saw her horrid end: "I saw the fire envelop her, and heard her shriek of death pierce through the red fierce flames, with inward delight, when I reflected that no one thing now stood in my way to thwart my projects!"

His object was to place himself upon the musnud (or throne) of Satarah, to which his elder brother and his son, if they survived, had a preferable claim. Seeing, however, no hope of success, after wading his way so far through blood, he took up the profession of sunyasee, or gossein; and made his son reluctantly enter the same mode of life. The latter gives the following extraordinary account of his own initiation by one of that religious order, to whom they had recourse, who dwelt in a cavern in the midst of a thick jungle:—

In one corner of the sunyasse's cave was Gunputti the idol, large, with an elephant's trunk; and *Mahadeo*, and *Parvati* his wife, were carved in the rock immediately opposite. I concluded that the purport of my father's visit to this miserable fanatic, was as much to gain instruction as for security. Having eaten some rice, the old man began to mumble prayers in a sepul-

chiral tone; then to fall on the ground before the god, and keep dabbling in water. My father imitated him with the utmost exactness, and made me follow the example. I was heartily glad when these numerous ceremonies, and their still more numerous genuflexions were ended, as the stones on which they were made I found painful enough to my bones. A dead silence now took place for a full hour: the old gossein first breaking it by crying out, as loud as his crazy voice would permit, "*Sudashco*!" and then desiring my father to say *Bom Mahadeo*. My father did all he was desired, and then they continued for another hour, calling out, one of them '*Sudashco*,' and the other, my father, roaring out '*Bom Mahadeo*,' until they were both exhausted. As soon as the gossein had recovered a little he rang a small bell, trimmed his lamp, and bade us follow him. We now entered an inner cell, where stood the figure of *Siva*.<sup>3</sup> The gossein desired us to do as we saw him do: this was to fall down nine times before the idol. This troublesome business being over, and when I hoped there was nothing more left for me to do, the old wretch presented us with a copper vessel filled with blood—whether human or not, I cannot say to this day. We were directed to take each of us a mouthful, and squirt it out into the idol's face. My father obeyed with great gravity; but when it came to my turn, I was in such haste to get rid of the filthy mouthful, that I let the whole go, not into the face of the idol, but into the eyes of our preceptor. My father immediately felled me to the ground, apologizing a thousand times over to the gossein for my conduct. I yelled, cried, and begged forgiveness, promising to hit the mark better next time. My father was told to repeat the disgusting oblation sixteen times, and I was ordered to follow his example. I succeeded, from fear, in getting nearly through with the total number, in despite of my stomach's repeated warnings. At last I was no longer able to subdue its rebellious impulses, and *Siva* received, not the contents of my mouth alone, but both together. Indeed, nature had effected wonders in enabling me to resist so long the horrid doses of blood, which would have disgusted a tiger. The gossein now set up a frightful yell; and my father, to appease his wrath and satisfy his own anger, once more levelled me with the earth. *Siva*, the destroyer, had been defiled, and it became necessary for the sunyasse to purify his godship: for this purpose, he fetched water, oil, sandal-wood, and red ochre, muttering a prayer between each application. Sundry cocoa-nuts were then offered, with prayers and moanings; and after another hour spent in purifying the idol from the contamination I had cast upon him, the sunyasse conducted us back to the outer apartment. He now produced a cauldron, lit a fire, and poured into the vessel water, blood, resin, oil, ghee, and rice; he then sprinkled brimstone into the fire, the blue flame of which, shining upon his countenance, gave me a full view of its cadaverous hideousness; so horrible and ghastly a being till then I had never beheld. Terror crept coldly over me; my heart was chilled with a secret fear, and the hue given to the gossein's face by the brimstone, impressed me with the idea of his not being a creature of this world. Even my father's hardened countenance bore an expression, if not of terror, of awe, and wonder, at the sight. The sunyasse next produced a string made of horse-hair and fine cotton, which he dipped in his infernal cauldron, muttering blessings or curses, I could not tell which. He then, with a pair of tongs drawing it from the cauldron, bathed it in blood, drew it through his toes, and then soused it once more in the charmed pot, where he suffered it to remain about half an hour. Then taking off the cauldron,

The name of an idol.

<sup>3</sup> The destroyer.

he poured its contents at the feet of Gunputti, leaving the string at the bottom of the pot, which he cut in two pieces, one longer than the other. After this, he formed the sacred string worn by the Brahmins, gosseins, and many Hindoos. One of these strings was designed for my father, and one for myself.

Though this story is put in the mouth of a Hindoo boy, cradled in the darkest gloom of superstition, the author, with a singular perversity of taste and judgment, makes him describe, with the sneering levity of a perfect sceptic, a scene that ought to have shaken his soul with terror. The cauldron, the blood, and all the infernal apparatus are at hand, but we want the spell of the enchanter; and this collection of monstrous stuff inspires the reader with nothing but disgust. To proceed with the story:—the gosseins throughout the country being invited to Poonah to an entertainment given them by the Peishwah in gratitude for the birth of a son, Gunput repairs thither among the rest, and becomes the gooroo, or religious instructor, to the prime minister, Trimbeckjee Danglia. About this time he meets with his nephew, under the name of Pandurang Hari, whom he pillages, as before mentioned. They then, still ignorant of their near relationship, became both engaged in intrigues respecting Sagoonah, the betrothed of the nephew, who is also at Poonah, living with an aunt, to whose connexion with them they are equally strangers. The Peishwa having accidentally seen her, when passing through the city, falls in love with her, and employs his prime minister to get her for his harem. She, though living in obscure poverty, without any male relative to protect her, virtuously rejects the proffered honour, on account of the contract long previously formed between her and some boy, (that is Pandurang,) of whom she can obtain no tidings whether he be alive or dead. The minister being also smitten with her charms, prefers his own suit to that of his master, and she indignantly threatens to make known his treachery. To prevent this disclosure, Gunput Rao, his gooroo, is employed to make away with her, but she is accidentally saved by Pandurang Hari, under whose protection she then lives, both being still ignorant, however, that they are betrothed to one another. Her sudden disappearance, and supposed death, being reported to the Peishwa, he resolves to punish her murderer; and Pandurang Hari, personating a magician, accuses the Kotwal, another horrid character, who is immediately trodden to death by an elephant, for a crime that was never committed at all.

Trimbeckjee afterwards discovers that Sagoonah is still alive, and great part of the novel is occupied with the intrigues of him and Gunput Rao to get her into their own possession. The latter revives the scheme of allying her with his son, that by thus securing the interest of her uncle, a rich banker, he may smooth his way to the musnud of Sattarah. She, however, keeps aloof from his uncle, still shunning the attractions of wealth, a husband, and a throne, in the visionary hope of meeting the lost boy to whom she was contracted in her infancy. The same motive makes her reject the hand of Pandurang himself, under whose protection she is, not knowing that he is the destined

object, although her affections strongly second his proposals. In this manner, this paragon of female honour and constancy wanders from place to place, or is carried against her will—from Poonah to Kandeish, from Kandeish to Asseerghur, and thence back to Guzerat—sometimes in the hands of her ardent lover, Pandurang; at others, of the emissaries of his rival, Trimbuckjee; but still preserves her vestal purity in spite of all the blandishments of love and fortune. If the author has painted the one sex as devils in human shape, he has made the natives of India a sort of compensation, by making the other sex angels of perfection.

We cannot follow the hero of the tale through all his many wanderings, which possess but little interest. He assumes the office of a peon at Tannah, and aids the escape of Trimbuckjee Danglia, confined for the murder of a shastree, or negotiator, who was under the English protection. He is then pressed into the Pindaree service, from which he takes the first opportunity to desert, with three or four others. After this he is captured by the Bheels, and carried into the cave of one of their chiefs, which he is thus enabled to betray to the English. He also acts for some time as a wukeel at Broach, which affords him opportunities of admiring the English system of jurisprudence—admired only, we believe, in fiction. To return to the progress of the main plot about the succession to the musnud of Satarah: The uncle of Pandurang having employed two assassins to despatch him, he meets them on the road, gets into their confidence under another name, and they resolve to make him a partner in their enterprize. In order to make him fully acquainted with the nature of their plot, they take him into a secret cavern, the door of which shuts with a bolt from the outside. When he has obtained from them all the information he could, he walks out, fixes the door, and leaves them there to perish of want, making the cavern re-echo with the yells of despair. All this machinery of romance, introduced with great abundance, instead of adding interest to the novel, merely serves to remind the reader the more frequently that it is an absurd and idle fiction. At last, by means of a grain merchant at Indore, named Wanee, Pandurang obtains a hint who is his father. Wanee is murdered next morning after this discovery, by the emissaries of the satanic uncle; which leaves Pandurang again in despair. He, however, accidentally falls in with some of his father's partisans at Satarah, who are forming a plot to raise him to the musnud, and joins their band. Their schemes are greatly aided by a mysterious Meg Merrilies sort of a personage, who leads him, in the character of her son, with a basket on his head, into the fortress of Satarah, where his father has taken refuge. The venerable old man recognises him by the silver kurdoorah, placed round his loins in his infancy, which he produces. They then lay a plan to defeat the schemes of the atrocious Gunput, who disputed his elder brother's right, by alleging him to be of spurious birth. They propose to refer the matter to arbitration, which Gunput consented to, not believing that his brother's only son was alive, and therefore confident of se-



curing the throne at least for his son Mahadeo. He chose the uncle of Sagoonah, the rich banker, as one of his arbitrators, thinking him secured in his interest by the intended match between his niece and Mahadeo. But Sevaje, the father of Pandurang, or, as he had been named in his childhood, Jeoba, having found means to satisfy the uncle, that his son, to whom Sagoonah had been betrothed, was still alive, the prudent banker came over to the other side, and the punchayet consequently decided against Gunput Rao. This consummate villain seeing all his schemes of ambition blasted, and his brother and nephew, whom he thought to have destroyed, about to ascend the musnud, had at last recourse to arms. After a desperate struggle he was foiled by the forces of his elder brother, with the assistance of the English, under whose protection the state was. Being about the same time detected in a conspiracy against the British power, he was sentenced to be blown away from the mouth of a cannon. From this fate he only escapes, on condition that he make a full confession of all his crimes, and be then condemned to perpetual imprisonment. \* With this the tragic history closes, and is then wound up with the marriage of Pandurang and Sagoonah, and the quiet instalment of his family on the musnud of Satarah.

From the foregoing outline it will be evident, that the author had abundant materials for making an interesting novel; but, in his hands, they are entirely barren of interest. He seems to have thought that nothing more was necessary to keep up the reader's attention than a quick succession of murders, frauds, and villainies, miraculous escapes, and singular rencounters. But the mind soon gets accustomed to these things: it sees that the paper men are only introduced to be killed, and ceases to grieve at their death. Besides, where there is not one respectable character among the whole who deserves to be lamented, their success or failure is a matter of perfect indifference. The reader can have no sympathy in the fortunes of a set of mean heartless unnatural miscreants, who have hardly a single redeeming virtue. He who could give this as a picture of the natives of India, or of any people, must know little of human nature, which in every country, even the most barren of virtue, produces plants as varied in form and stature as those of the earth on which we tread. There are all intellectual and moral grades, from the cedar that is in Lebanon to the hyssop that creepeth upon the wall. The entire absence of beauty or proportion in the characters, is not compensated by any lively description of scenery or of manners. For, although the author has doubtless passed some time in the country where his scene lay, like Smelfungus and Mundungus mentioned by Sterne, he seems to have travelled from Dan to Beersheba, discolouring every thing with his own jaundiced vision, only to report to his countrymen that all was naught. Our only consolation for bestowing so much time in following him, is, that it may spare others from a task so "weary, stale, flat, and unprofitable."

## PRESENT STATE OF GREECE.

THE better part of the population of Europe have now for a long time turned an anxious eye on the movements of Greece, at whose successes they have rejoiced, and whose errors and reverses they have deprecated and lamented. The course, however, pursued by her government and chiefs, from the very first dawning of the revolution, has been almost invariably marked by the most disastrous indiscretion and incapacity. And although several very enlightened and eminent persons from various countries have offered the Greeks their advice, and, inflamed by enthusiasm for their ancestors, been ready to hazard both life and fortune in their behalf, it does not appear that the cause of Greece has been on that account advantaged, at least in any degree proportioned to the means. On the contrary, at those very periods when the politicians of the West have been most numerous in Greece, her prospects have been most darkened, and her hopes grown more slender; until it is at last become questionable whether she will not be reduced, before the present year be expired, to her old degraded condition under the Turks. The presence of the philhellenes in Greece may, however, have had no necessary connexion with her misfortunes; may, for aught we know, have lessened and retarded them. Still, it is singular that the wealth and wisdom of the West should have done so little good, should have been shipwrecked on the obstinate indocility and cunning of half-civilized barbarians; for such, indisputably, are the Greeks. There must be some hidden cause for this miscarriage, some cause that has escaped the philhellenes themselves, and all those who have speculated on their mission. It may not, however, be as difficult to be discovered as the sources of the Nile, though there might be little utility in making it known.

What the Greeks have all along needed, as the most intelligent persons who have visited them observe, is a political and military genius to conduct their enterprise, to condense and direct their energies steadily towards one point, and this, not by imparting and discussing his views with natives or foreigners, but by creating an enthusiasm for his person, an implicit blind veneration for his views and principles. Without inspiring this mixture of love and awe, no man can effectually avail himself of the resources of an uncultivated people. Whoever would lead them, whether to good or ill, must begin and end with dissimulation. Their prejudices must appear to be his prejudices; their desires, his desires; their sympathies and antipathies, their wisdom and ignorance, their vanity, their ferocity, their filth, their contempt of refinement, must appear to be without being his. His lantern must light his own footsteps only; the rest must follow him. Such men being rare, it is not at all wonderful that no one of the kind has yet appeared in Greece; the revolution has hitherto been productive of nothing but ordinary men, men calculated to be

governed by circumstances, not to govern them. While this is the case, though Greece may struggle with her enemy, she will perform little that is truly glorious, for her energies will forever be divided by the multitudinous influences of a thousand capitani, and run to waste, like water poured upon the desert. This view of the matter has already been taken by many, as might naturally have been expected. And some have endeavoured to unite the affections of the Greeks in the love of one individual. Others, pitying the ignorance and barbarism in which ages of slavery had plunged them, have hoped by encouraging education, and otherwise multiplying the means of knowledge, to inspire in the nation enthusiasm and a pure patriotism. We respect their motives, but by no means enter into their views. Whatever may be hoped from the progress of education, this, we conceive, is not the time to lay any stress on it. The most important science a Greek can now learn, is how to destroy the greatest possible number of his enemies; how to see his land cleansed from the polluting crescent; how to be rid, once and for ever, of the fear of the bow-string and the slaves of the black eunuchs of the seraglio. Never mind the dirty streets of Napoli di Romania, or the tattered soiled jackets of the common people, or their vermin, their fevers, their bad cookery, their ignorance, their superstition. These things may be considered afterwards. Attend now to the use of their muskets and their ataghans. It is altogether to misapprehend the nature of human affairs, to imagine it possible to create a new moral character in an insurgent people: they should be taken in their actual condition, and reckoned exactly for what they are, their vices and their virtues being properly understood. Their liberators may lament in secret, if they please, that they have no better instruments; but nothing short of madness can ever make them pause to strike, until laws and education shall have forged them more agreeable weapons. A fierce peasantry, goaded to madness by oppression, and fighting perpetually in the sight, as it were, of their homes, in the hands of a great general, would grow into an invincible army. And, a brief piece of military eloquence, ushering in the battle, and painting their rude enjoyments and the horrors of being deprived of them, would have more effect in the mouth of a brave and skilful commander, than all the books that have been written in Europe for the last hundred years. Civilized people depend too much on their acquirements. With them knowledge and education are every thing. They appear to think that nations are then happiest, when their passions have been weakened, their feelings regulated, their minds crowded with facts and notions. The Greeks are the reverse of this picture. Their knowledge is trifling, and their passions powerful in the extreme. To lead them, therefore, is to manage their passions, not to convince their reason.

Many of our countrymen complain bitterly of the fondness of the Greeks for money. But do they really find any thing wonderful in that? Are the English indifferent about money? Are there many Cincinnati, many Epaminondases in London? Did they expect to find in newly-emancipated slaves, the proud poverty, the primitive

frugality, and contempt of wealth of the old Romans? The truth is, all the seeds of their disappointment lurked in their own bosoms; they expected to find gods in Greece, and they found nothing but ignorant, craving, intemperate men—just such as slavery always produces. Had the Greeks been the temperate, frugal, haughty admirers of poverty, which they hoped to find them, Greece would never have stood in need of foreign aid, or bent her neck to the Ottoman. It was her craving after luxury, her admiration of money, that first opened the road to slavery, and afterwards led her forward in it for so many generations. The same cause, it appears, has now precipitated her back to the threshold of her old bondage; and it is impossible to predict with certainty whether she will be re-subjugated or not. The general poverty of the Ottoman empire, a poverty produced by a long succession of improvidence and oppression, makes it probable that the Turks will be deficient in resources, and fail in keeping possession of Greece, even should they prevail in the present war. As far as the Pasha of Egypt is concerned, it is unlikely that he would be suffered by the Sultan to erect a principality for his son in the Morea, in the event of his being victorious. But the policy of the East is so utterly at variance with our notions, that it is impossible to divine what may happen under almost any given circumstances.

Whatever may be the event, the situation of Greece, at this moment, is most deplorable. Her chiefs, perpetually at variance with each other, and incapable of comprehending a liberal system of policy, are represented as a dissolute gang of marauders; at times daring with astonishing courage; at others, listless and indolent, lounging about the coffee-houses and promenades of their cities. Little better, according to some travellers, are her legislators and governors. Money, we are told, is there, as here, the universal idol; no man moves for his country without first calculating how much he shall gain; or cares, when his ends are answered, who or what is at the head of affairs, provided his own possessions are secure, or himself in a way to share in the general plunder. Letters from disappointed Germans, and from disappointed Englishmen, vie with each other in speaking ill of the Greeks; some choosing for the objects of their reprehension the members of government, some the military leaders.

Now, we believe, there is excessive exaggeration in these philippics; which, in some instances, are levelled against a great body of the people, as well as against the leaders. With one writer, the Moreots (inhabitants of the Morea) are base and cowardly; they are brave, honest, and hospitable in the pages of another. In one traveller's relation, we find Mavrocordato a black-hearted villain; and Colocotroni "a fine old chieftain:" others, more profound observers, and more worthy of credit, depict the latter as a hoary old rebel, and the former as a man of probity and ability. In the midst of so much contradiction, so much misrepresentation, passion, and prejudice, it is impossible, however, to be sure that we know any Greek's character. The best course appears to be, to regard merely events; to observe

what happens; to learn, if we can learn, how things happen; and to leave it to time to adjust the pretensions of individuals.

With this view, we shall cast a brief glance at the outline of the last campaign, and select a few passages from the latest works published connected with the circumstances of the country.

In the beginning of last winter a rebellion of the Capitani, with Colocotroni at their head, broke out in the Morea. The real origin of this insurrection is, perhaps, altogether a secret, but the apparent causes were as follows:—The Greeks are divided into two great parties, the Moreots, and the Roumeliots, or inhabitants of Northern Greece. The Moreots, who, during the last winter's rebellion, adhered to Colocotroni, were irritated, it seems, by the apparently well-founded partiality of Government for the Roumeliots; and, as in such a state of society the step from irritation to rebellion is easy, they flew to arms and attacked the authorities. In the course of the insurrection, they even made an attempt on Napoli di Romania, but as Government was supported by the courage of the northern chiefs, their attack proved unsuccessful, and their whole enterprise failed and terminated by the beginning of December. The rebel Capitani were for the most part taken prisoners, and sent to the islands, with Colocotroni among the rest. However, their rising was eminently prejudicial to the cause of their country, for, in all probability, it was the only reason that prevented the whole of the Morea from falling into the hands of the Government. There, indeed, remained but three places to be taken: Patras, on the Gulf of Lepanto, and the small fortresses of Modon and Koron, on the southern coast of Messenia.

At this period the Ottoman Porte recalled Omar Pasha from Albania, and appointed the Roumeli Valesi in his stead; promising, in case it were subdued, to add Northern Greece to his government. It is said also to have promised the Morea to Mohammed Ali, under the same conditions. At all events, it has been observed, that the Pasha of Egypt has confined his operations entirely to the Morea. As soon as the Government had subdued the rebellious Capitani, it turned its attention to the siege of Patras, which was now attacked both by sea and land, when news arrived that the Egyptian fleet had sailed from Candia, and was expected on the coast daily. The ships were now withdrawn from before Patras to meet the enemy, who, however, effected a landing at Modon with a considerable body of troops. Shortly after, Ibrahim Pasha, Mohammed Ali's step-son, commenced the siege of Navarino, a city on the western coast of the Morea, which he carried on with considerable vigour and eventual success, for he took it in May, after a great number of men had fallen on both sides. Previously to this, however, the Greeks had gained a considerable victory over the Egyptian fleet before Modon; having entered the harbour with their fire-ships, and burned the whole squadron beneath the walls of the fortress.

During the progress of Ibrahim in the Morea, Colocotroni had been released from confinement; and, now that the Egyptian ap-

proached Tripolizza, advanced with his followers to meet him. His force, however, was not sufficient to enable him to encounter the Pasha in a regular battle, and, therefore, he retired before him skirmishing. It was now evident that Tripolizza must be abandoned, and Colocotroni sent orders to the inhabitants to burn the town. This they performed, and then retired with their families, and what they could carry of their property, to Argos and Napoli di Romania. The Pasha then took possession of the town, on the 20th of June 1825. At the commencement of the campaign, Ibrahim affected great clemency, in the hope of inducing the Moreots peaceably to lay down their arms; but finding, as he advanced, that his stratagem was unavailing, he threw off the mask, and committed all manner of atrocities as he marched through the country. On the 8th of September, the troops of the Roumeli Valesi retired from Missolonghi, and about the same time Ibrahim left Tripolizza, and retreated to Calamata. An insurrection, threatening to become general, broke out in Candia in August; several forts were taken by the insurgents, and a number of Greeks were immediately despatched from the Morea to their assistance. Upon the whole, the appearance of affairs in Greece was rather favourable up to the middle of September, but since then, news of a most disastrous nature has arrived in England; and at present we are waiting with anxiety to learn whether or not it be well-founded.

In the meanwhile, the pens of our countrymen and others, who have witnessed the events of the war, are busily employed for the information of the public. Several new works on the affairs of Greece, or descriptive of her present appearance, have appeared during the present month; and though there be much discrepancy in their accounts, where they relate to the character of her chiefs and government, and in some an intemperate and angry feeling, we may yet say that they are, at least some of them, valuable pictures of a nation the most extraordinary in a most extraordinary position.

In a second edition of the Honourable Leicester Stanhope's *Letters on the affairs of Greece in 1823 and 1824*,<sup>1</sup> a series of *Supplementary Papers on Greece in 1825*, and *Reminiscences of Lord Byron*, are given. Of the work itself we have already expressed our opinion. The present additions possess more interest, perhaps, than the body of the volume, as a great portion of them relate to a man about whom the nation at large has long felt an intense desire to learn something new. Colonel Stanhope was the friend of Lord Byron, whose character he appears to have understood pretty correctly, and in these *Reminiscences* has related nothing of him which he did not consider honourable to his memory. The letters of Mr. Finlay are a lively sketch of Byron's manners, which, according to every account we have seen, appear to have been sadly tinged with affectation. Of

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<sup>1</sup> *Greece in 1823 and 1824*; being a series of Letters and other Documents of the Greek Revolution, &c. *Supplementary Papers and Reminiscences of Lord Byron*. 8vo. Sherwood and Co. 1825.

friendship, he pretended to have the most misanthropical notion; if he did not speak as he felt he was guilty of childish affectation; if he was sincere, he had a base mind. For our own part, we firmly believe that his misanthropy was only lip-deep, his real feelings humane and honourable. However, the reader cannot fail to be gratified by Colonel Stanhope's sketch of his character, which is very rapid and lively, so much so, indeed, that we believe no one will draw near the end of it without extreme regret;—a singular feature in a production of this age! The 'Supplementary Papers on the Affairs of Greece' are chiefly letters, and from various persons. Much information, there is no doubt, may be obtained from them; but after reading the sketch of Lord Byron, we cannot but regret that Colonel Stanhope has not thought it worth his while to give the public a connected sketch of Greece from his own pen.

'An Autumn in Greece,' by H. L. Bulwer, Esq.<sup>2</sup> is an interesting picture of the manners and customs of the modern Greeks. Its great brevity, a powerful recommendation! and the natural vivacity of the style, render the work pleasing, and the scenery and people described give it value. The author's opinion of the Greek character is extremely favourable. Even the Moreots, the worst portion, according to most writers, of the population, he found hardy, honest, and independent. His treatment during the journey he made across the Morea, from the mouth of the Alpheus to Napoli di Romania, was certainly as good as could possibly be expected in so rude a country. We shall extract that portion of it which relates to the scenery about the Alpheus, and the hills of Arcadia:

There is that in this country, which amply repays one the trouble, if I do not say danger, of visiting it:—all we meet is fresh, and unlike what we ever saw before. The dress, the manners, the very ignorance of the people, has something in it wild and original. We are brought back to our boyhood by the very name of Greece; and every spot in this beautiful land reminds us of the days devoted to its classic fables, and the scenes where we were taught them. Methinks I see old Harrow churchyard, and its venerable yews, under whose shadows I have lain many a summer evening.

The scenery by the banks of the Alpheus, the modern name of which is not as Mr. Douglas says *το Βουλη*, but *δ Ποφλας*, appears quite worthy of all we have ever read or imagined of this happy region. The banks of the river are magnificently wooded; and the timber, if felled, might be floated down it, I should think, and form a valuable article of commerce.

Valley succeeded valley, each surpassing the other in freshness and beauty. The land-tortoises were so numerous, that our mules frequently trod on them, at the risk of our necks, as they lay concealed amidst the luxuriant foliage of the schystus and wild laurel. Some singular superstition is attached to this animal, which denounces the severest maledictions on those who eat of it. Of old it was venerated on account of its shell, of which Orpheus formed his lyre. Can the prejudice of the modern Greek be derived from the classic fable of his father?

The fertility of Greece may not have been exaggerated; but all that does

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<sup>2</sup> Published by Ebers. London, 1826.

grow here is certainly without solicitation. The richness and luxuriance of the shrubs and trees delight one; yet, except a few wretched vineyards, nothing exists to mark the business of man.

The country intersected by mountains, accounts for its ancient state, and shows its aptitude for small kingdoms. This circumstance, together with the vanity and love of sway natural to the Greeks and their captains, seems to favour Colonel Stanhope's idea of a government similar to the Achæan League, or Swiss Confederation; but the people do not appear to me refined enough for the one system, nor sufficiently simple for the other.

On our second night we stopped at a village called *Ἄγιος Ιωάννης*, in the mountains. As we approached it, the savage dogs rushed down the hill like a troop of wolves, and, from their loud baying and angry appearance, seemed disposed to consider us rather as Turks than Christians. Travellers are not perfectly safe from these animals: they surround, and often attack them, as if instigated by the devouring propensity of wild beasts. Any attempt to defend yourself by blows, or violence, would be revenged by their masters; in fact, I know no means of dispersing the brutes except by throwing stones, not at, but as far from them as possible, which they rush after and shake with the most horrible ferocity.

A wild and warlike group gathered round us on our entry; the men were armed up to the teeth, and it seemed singular to find oneself alone with such savages, and not in danger.

One of the soldiers conducted us to a large barn, where, he said, we might repose for the night. The whole village flocked in to gaze on us, and, in the midst of these wild guests, we sat down and wrote to the Government, acquainting it with our arrival in the Morea, and hopes of being shortly at Napoli. We intrusted the letter to a peasant, who, although the village was in the interest of the Capitani, carried it safely, and I believe unopened, to its destination.

A kid was now killed at the threshold, and roasted, without much culinary preparation, at the blazing fire kindled in our shed. Imagine Browne and myself stretched along our portmanteaus at one end of the hut, our kid roasting at the other; the flames lighting up, as they ascended from the hearth, the dark countenances, and gleaming on the savage arms, of the crowd around it. Another group, sitting cross-legged at some distance from the fire, looked wistfully at us, and carried on a conversation in whispers, filled, no doubt, with conjectures of what the devil we did there. Every now and then a wild laugh would burst forth at the grotesque anxiety of Richard, who was busied over our promised repast, having insisted on being *chef de cuisine* on this occasion. Two or three female faces were indistinctly seen among the crowd, nor were the ladies the most gentle-looking personages in our coterie. As yet I have seen no *χρυσόστεφανος Ἡβη*, nothing, I must confess, of the Grecian beauty which we amuse ourselves in talking about.

The following is the author's brief notice of Arcadia :

To-day we traversed the barren steeps of Arcadia, which Pan must have had terrible bad taste to inhabit. Two or three flocks of sheep revived its classic recollections.

These flocks are generally tended by the wandering *βαδχοι*, who, regardless of the present war, bring them from the parched plains of Macedonia and Thessaly, to the mountainous districts of the Morea, and as regularly retire, on the approach of winter, to a more genial climate. They possess



many villages in the mountains, composed of cottages resembling Indian wigwams, which during the colder season they abandon.

The pathway, which was scarcely broad enough for our mules to pass on singly, ran for some distance alongside of a gigantic mountain, while beneath us yawned a precipice too deep for the eye to measure its profundity. We were in sight of Leondari, the residence of Delli Granni, which the Turks, in the plenitude of their power, never ventured to approach.

In these wildernesses the eagle is king, and seems fearless, and conscious of his sovereignty. Winding down the rocks to Tripolizza, we passed a band of thorough-bred Bohemians: these singular people enjoy some influence in the neighbouring provinces.<sup>3</sup> They seemed quite at home, and looked a much more savage and determined race than the one which sleeps under our hedges.

The latest work on Greece, and one of the very best we have yet read, is that just published by Mr. Emerson.<sup>4</sup> Equally valuable for its historical details, and for its masterly description of the country and inhabitants, it is as amusing as a romance, while it possesses every appearance of being strictly true. By all who feel interested in the cause of the Greeks, it deserves to be read with deep attention. Its author, evidently a man of powerful intellect and a scholar; has viewed the Grecian cause with the eye of a politician, and if time shall belie his predictions respecting the event of the struggle, still they will be found to be such as circumstances appeared strictly to authorize. His estimate of the national character, upon the whole favourable, has every characteristic of impartiality, and, at all events, is eloquently and admirably written. The vices, which a long subjection to ignorant despots would engender in any nation upon earth, Mr. Emerson does not, like many weak or malignant writers, attribute to the Grecian character. He distinguishes, with philosophical precision, what is absolutely extraneous, from what is inherent in the national disposition; and, setting down to the account of circumstances no more than he ought, depicts the present inhabitants of that noble country, as full of those strong passions and unquenchable energy which must ever form the elements of a great people. We strongly recommend the work to our readers, and shall curtail our own remarks in order to introduce a specimen of the masterly manner in which it is written. The reader will not regret that our extract is a long one, as every period is rife with information; we have chosen what may be considered a recapitulation of the author's experience.

On looking over the foregoing pages, which are, as the title professes, mere extracts from a diary, kept during my short residence among the Greeks, I find that many remarks, illustrative of the genius and character of the people, and the commercial and political situation of the country, have

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<sup>3</sup> In Moldavia and Wallachia the gipsies have sometimes arrived at honour and wealth; and in their extraordinary situation of tutors to the young boyars, they have often much weight in the transactions of those unfortunate princes: they inhabit the northern provinces of Turkey.—Douglas, 1815.

<sup>4</sup> *A Picture of Greece in 1825, &c.*, 2 vols. 8vo. Colburn and Co., 1826.

of necessity been omitted. To present these in a collected form, and give the reader a more general idea of the state of affairs in this interesting portion of Europe, I shall devote a few pages as a supplement to the foregoing extracts.

With respect to the commerce of Greece, its exports, and foreign trade, little can be stated at present; the extreme confusion attendant on so general an overthrow of the lately existing Government, having, in fact, almost totally suspended it. The destruction of agricultural industry has put an end to the former exportation of grain, and the repeated levies for the army necessarily curtail the number of artisans employed in the cultivation and care of silk-worms and cotton. Taking each portion individually, indeed, Greece can never be said to have possessed any extensive commerce, north of the Isthmus; the inhabitants being of too martial a cast to attend much to agriculture or industry. The exports of Livadia and Western Greece were consequently only a few raw ludes, wool, cotton goods, and a small quantity of corn; whilst in Attica the pastoral traffic only consisted in wine, oil, and honey. But since the opening of the insurrection, the distinguished share which Messolonghi has taken in the revolution, has completely destroyed what little share of commerce Livadia possessed; whilst in Attica the convulsions of war have so much engaged the attention of the peasantry, that little more wine is manufactured than is sufficient for the consumption of Athens and the adjoining districts. Its olive-groves and vineyards have been injured by the frequent incursions of the enemy, so as to curtail the quantity of oil; and the honey being no longer brought down from Hymettus by the Calogers, the exports of the Piræus consist almost solely of the fruit and vegetables which are shipped for Hydra, Spezia, and the neighbouring districts of the Morea. In point of commerce, however, the Peloponnesus has always taken the lead of the northern provinces, perhaps from the greater number of commodious harbours which lie around its coasts. The more peaceable character of its inhabitants has likewise given them a stronger bias for industry and agriculture; and the various productions which constitute the riches of Northern Greece have found an equally congenial soil in the Morea: though here too, the influence of war has driven off the peaceful followers of commerce, and her operations are for the moment suspended. It may, perhaps, be interesting to know the particular produce of the Peninsula, which will, I trust, one day be more fully and more advantageously cultivated than heretofore.

The corn of the Morea has long been highly prized in the adjoining Islands, and its culture in consequence is proportionally extensive. Its barley, however, is not so much esteemed, and its growth of Indian corn has never been exported. The Peninsula is by no means a country for wine, the greater portion of its consumption being imported from the Archipelago: two species, however, are admired by the Greeks,—the wine of Mistra, and that of Saint George, in Corinth; though both are of only a light body, and possess a disagreeable flavour, from the turpentine with which they are purified. The grapes are neither large nor finely flavoured, the best being produced at Gastouni; one species, however, the “*raisin de Corinthe*” is extensively cultivated of late, along the shores of the gulfs of Lepanto and Salamis, where it has usurped the fields formerly employed in the raising of tobacco. Of its dried fruit, immense quantities were formerly exported under the name of Zante currants; and a remnant of this may be said to be the only trade at present remaining in Greece. At the time I left Zante, an English vessel, the *Levant Star*, of Liverpool, was loading currants at Vostizza, where agents are annually sent from the Ionian Islands to purchase the fruit from the Greeks, it being delivered to foreign

vessels with no other restriction than a small tribute paid by each ship which enters the gulf, to the Pasha of Patras.

Other fruits are likewise produced in abundance : lemons, though not large, nor peculiarly fine ; oranges, the best of which are found at Calamata ; peaches, pomegranates, apricots, almonds, and a variety of shell-fruit. The figs, especially those of Maina, are remarkable for their sweetness, owing to the attention paid here, as well as throughout the Archipelago in general, to the process of caprification.<sup>5</sup> Household vegetables are produced in abundance ; the markets of Napoli di Romania being plentifully supplied with cucumbers, *pommes d'amour*, spinage, asparagus, and every other species in the season. Olives are found in the greatest abundance in every district, but especially in Maina and Argolis ; and, though very little care is taken of them, the quantity of oil produced was formerly immense. Almost every quarter, even the wildest and most uncultivated, is covered with beds of thyme, fenouil, and mint, so that materials for honey are exhaustless. Neither in quantity nor quality, however, is it so good as that of Attica ; in fact, the honey of the Morea is medicinal in its properties, and requires to be used with caution. Of the wax, large quantities are still exported from Napoli di Romania to Syra, but always in an unbleached state. Manna, likewise, and indigo, were formerly cultivated ; but they are now neglected, as well as the gathering of galls, which used to be found in astonishing perfection in every forest. The tending of silk-worms, though practised extensively, was not attended with the usual success. A mortality being incident to the worms during the spring, the Greeks, instead of ascertaining a remedy for it, attributed it to witchcraft, and left it to take its course ; so that the produce of 100 lbs. of cocoons seldom averaged more than 8 lbs. of silk. Cotton was never grown in large quantities, but its quality was remarkably white and delicate ; and the culture of flax was but little known. The immense flocks of Argolis, Messenia, and the valleys of Arcadia, furnish a proportionate quantity of wool ; the exportation of which to the Ionian Islands, together with the sheep themselves, and a little wine, constitutes the only remaining remnant of the once extensive trade of Pyrgos. The forests of the Morea are, in some districts, extremely extensive, especially on the coasts of Elis, and the western shores of the Morea ; which have long furnished oak and pines for the construction of the Hydriot vessels, and large quantities of vallonias for exportation to Zante and Malta.

Such is the chief part of the produce of this rich and romantic country, which, even during the most prosperous days of fallen Greece, during the

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<sup>5</sup> It is not every species of fig which requires to undergo this singular process : and in fact, in some districts of the Morea, the practice is overlooked. Of the custom, which is rather a singular one, Mons. Depping gives the following description :—" On distingue deux sortes de figuières, le sauvage et le domestique ; l'un et l'autre portent de fruits ; mais ceux du figuier domestique tombent avant leur maturité, si l'on n'a eu soin de les féconder par le moyen des figuiers sauvages ; et voici comment. Lorsque les figuières sauvages sont mûres, c'est à dire au mois de juin et de juillet, on les cueille, puis on les attache à des fils pour les porter sur les figuières domestiques ; bientôt après, il sort des figues sauvages de petits moucherons, qui pénètrent dans les fruits encore verts du figuier domestique, par ce qu'on appelle l'œil du fruit, c'est ainsi que se fait la caprification ; le fruit caprifié grossit, mûrit, et acquiert la douceur qu'il doit avoir. Il paraît que l'insecte qui a halé la maturité du fruit se transforme en ver ; pour l'empêcher d'éclore on passe les figues au four, ou on les entasse dans les vases hermétiquement fermés."—*Tome 2d, "La Grèce," par G. B. Depping. Paris, 1823.*

reign of the Venetians, was not by any means cultivated to its full extent; and which, even in the later days of her slavery, has proved mines of wealth to her Ottoman lords. If, in addition to these, we add, that neither her mines nor minerals have ever yet been even attempted to be explored, though every rock and mountain-stream bears ample testimony to their presence, and that her climate is one of the purest in Europe, there is, surely, no spot that, at present, holds out greater inducements for enterprise or commercial speculation. In fact, several English merchants have already determined on opening houses of trade in the Morea, as soon as the cessation of the war, and the establishment of the Government, give a security to commerce. Patras, from its vicinity to the Ionian Islands, and Livadia, as well as to the currant district, holds out numerous inducements to European settlers. Navarino, from its superior harbour, is talked of as the future residence of the enterprising Hydriots. Napoli di Romania, as the seat of Government, will always attract a share of foreign notice; and the Piræus is to be assigned to the ill-fated Ipsariots, where the management of the commerce and exports of Attica may again enrich them. So that, should the war terminate favourably, which there is yet reason to hope, in spite of the misfortunes of the present campaign, there is every prospect of wealth keeping pace with the progress of liberty and intellectual improvement, and of Greece again resuming her seat amongst the nations of Europe, their peer in internal resources, freedom, and refinement.

Of the exact amount of the population, no accurate statement has ever, I believe, been made. It has been estimated at different times, from 2,000,000 to 3,000,000; but whether this be correct, or whether it do not include the supposed Greek population in the Crimea, Palestine, Russia, and other parts of Europe, I cannot tell. Of the national character, so much has already been written, that little remains to be told. The general impression is undoubtedly bad, and seems to be countenanced by the circumstance of their most violent detractors being those who have lived longest in close connexion with them in Greece, the Ionian republic, and Smyrna. For my part, I speak as I found them; during my residence amongst them, I never met with an insult nor an injury from a Greek. I have travelled unmolested, through the wildest parts of their country, without a guard; and with a quantity of luggage, which in Southern Italy, or even in more civilized states, could hardly have escaped pillage. I have never asked a favour of a Greek that has not been obligingly granted: in numerous instances, I have met with extreme civility, kindness, and hospitality. Others, it is true, may have been less fortunate; but when they state the Greeks to be constitutionally unmindful of kindnesses, I ask for what have they been taught to be grateful? If they are eager for gain, it is a necessary attendant on poverty; if they are cunning, their duplicity must be the offspring of a long slavery, under which every pretext was necessary for the protection of their property from the ravages of their despots; if they are depraved and savage, it is the effect of a barbarous education; if cruel and ferocious in their warfare, it is only against their enemies and tyrants, and merely the natural yearnings of the heart after vengeance, for a series of crimes, injuries, and oppressions. Let us only calmly contemplate for a moment, the long course of slavery from which they are just emerging; where, under the most galling despotism, their lives and properties seemed but held in tenure for their tyrants, before whose nod every virtue was made to bend; and where their families and children seemed merely born as subjects for the lust of their barbarous masters. Let us compare all that has been urged to the disadvantage of the miserable Greeks, with the causes that have produced their degradation; and the result must be, not hatred and abuse, but pity, mingled with as

tonishment that they are not a thousandfold more perverted than we find them. Far, however, from coinciding with this sweeping condemnation of the race *en masse*, I will maintain, that on an examination of the traits of character peculiar to each district, we shall find the seeds of numerous virtues, however slightly developed, still discernible under a mass of vices; and which, when properly cultivated, under an equitable Government, cannot fail to raise the Greeks high in the scale of nations.

By their Southern neighbours, the Albanians have long ceased to be considered either Musulmans or Greeks; their submission to Mahomet the Second, and subsequent embracing of Islamism, would naturally stamp them the former, whilst their country and warlike habits bear no resemblance to the luxurious, sedentary habits of the Turk. They may, in fact, be considered as the connecting link of the two religions, imbued with all the treachery and duplicity of the followers of Mahomet, but still retaining the spirit of hospitality, bravery, and minor virtues of the Greeks. To those succeeded the Roumelioti, the inhabitants of what is now termed Eastern and Western Greece, comprising Attica, Lavadia, and the territory south of Epirus and Thessaly: still mindful of their contests for freedom and religion, under their immortal Scanderbeg, they cling closely to that faith for which their fathers bled. And, though subject to the galling yoke of the Ottoman, they have still enjoyed a comparative freedom, amidst their rocks and mountains: nor have they ever submitted to enslave their souls, by a base concession to his creed. Brave, open-hearted, and sincere, their valour is their slightest recommendation; and the traveller who has claimed their hospitality, or the wretch who has thrown himself on their protection, has ever met with succour and security, beneath the arm of the Roumeliot Klefti.

In the Morea, a closer connexion with the Turks, and various minor causes, have produced a character less amiable and exalted. The greater weight of their chains has rendered them crouching and servile; and no where are the traces of slavery more visible, or more disgusting, than in the cringing, treacherous, low-spirited Moreot; who is, nevertheless, not totally divested of affection, gratitude, and a hospitable wish to share his mat and humble meal with the stranger. In the Messenians, or natives of the south-western coast, the traits of debasement are peculiarly perceptible. It would appear that, from the earliest period, these unfortunate people had been doomed to be the scape-goats of the Peloponnesus, formerly ravaged by the Lacedæmonians. They have, in later times, fled to the mountains of Sparta, for protection from the Turks. Slothful and indolent by nature, they treat their wives with a want of feeling unequalled in Greece: and, whilst the sluggish master squats at his ease, to smoke his pipe and sip his coffee, the unfortunate females perform all the drudgery of agriculture, and all the weightier domestic duties. Two singular exceptions are, however, to be found in the Morea; the inhabitants of the district of Ialla, in Elis, and those of Maina, in the south-eastern promontory. The former are a colony of the Schypetan, or bandit peasantry, of Albania, who, for many ages, have been settled in this spot, and, during the reign of the Venetians, rendered them important service against the Turks: but in general were as prejudicial to the Greeks as the Musulmans. After the failure of the Russian expedition in 1770, they were joined by a fresh party of their countrymen, who had likewise abjured Mahomedanism; and, though they turned their attention, in some degree, to agriculture, were principally maintained by their ravages on the properties and crops of their neighbours, with whom they never mingled, either in marriage, or even common interest. Thus, to the present hour, they have lived a pure Albanian colony in the very heart

of the Morea; retaining all the ferocity and predatory habits of their forefathers, and a valour, which has been often conspicuously proved in the scenes of the present revolution.

Of the Mainotes, the descendants of the ancient Spartans, much has been written, and yet but little is known; the difficulty of penetrating into a country inhabited by a bandit peasantry, pirates by profession, has opposed an insuperable bar to the investigation of travellers. Those, however, who have succeeded in becoming acquainted with their habits, represent them as possessed of the common virtue of barbarians,—hospitality, and an unconquered bravery; but disgraced by numerous vices, and all, without exception, robbers by sea or land. The portrait drawn of them, by Mons. Pouqueville, represents them in the very worst point of view; not even giving them full credit for their courage: but it is most likely overcharged, and more the estimate of reports than the fruits of experience. Of their piracies, and the bravery displayed in the pursuit of plunder, every one has heard; but in this, their duplicity equalled their courage. All were engaged alike, in every expedition; even the women bore their share of the toil; and every boat received the benediction, or was honoured by the presence of a priest. Yet, even here, their faith was not honourably preserved; and it was no unusual thing to force the absolution of their priests, after sacking and dividing the plunder of their monasteries. The piracies of the Mamotes have not, however, always passed with impunity; and the events of the two expeditions of the celebrated Hassan Pasha against them, in 1779, and the subsequent year, are well known. Even *his* conquests, however, though aided by internal treachery, did not extend over the entire district of Maina; and its inhabitants, to this day, are fond of boasting that their territory has never fallen beneath the arms of any conqueror.

Of the Hydriots and Spezziots, sufficiently ample details have been given in the foregoing extracts. Among their higher orders I have always found much to admire and to esteem; but of the lower classes I have not formed by any means so favourable an opinion. The other inhabitants of the Archipelago present different traits of character in almost every Island, as they have come more or less in contact with the Turks or Europeans; but in general they present the same peculiarities which every where form the leading features of the Greek character,—lightness, versatility, great natural talent, many virtues, and all the numerous vices inseparably attendant on despotism and oppression. Like the inhabitants of other mountainous countries, they are strongly imbued with superstition, which the lapse of time seems rather to have augmented than diminished: they believe in the appearance of disembodied spirits, the influence of good and evil genii, the protection of saints, the existence of sacrifices, the power of sorcery, and the predictions of dreams. Every disease, in their opinion, has its origin in some incantation or malign influence, and consequently, its corresponding charm and efficacious ceremony; though, in the mean time, in the usual deference paid to physicians throughout the East, the Greeks are by no means deficient. A few of them, natives of the country, have received their education in France and Italy; but far the greater number are practitioners from experience. One of the latter, a Cretan, who resided in high estimation at Hydra, being asked where he had studied, replied, that in fact he had always been too poor to study; that what he knew, he had acquired by practice; and that, by the help of the Virgin, he was in general pretty *fortunate* in his cases. In the dress, manners, and conversation of the Greeks, perhaps the strongest feature is ostentation and a pride of their descent. Lord Byron instances the boatman at Salamis, who spoke of “our fleet being anchored in the gulf,” in pointing out the scene of the Persian overthrow.

I have frequently been reminded by Mainotes and Messenians, that they were the children of Leonidas and Nestor; and the sister of a schoolmaster at Hydra, who had lost her husband in the present war, in speaking of his birth-place being in Macedonia, could not refrain from mentioning that she was a countrywoman of Alexander. The appearance of the male portion of the population is interesting and striking, but varies in the different districts. The Roumeliots are tall, athletic, and well-formed, with rather a Roman cast of countenance; the Moreots, low, clumsy, and ill-proportioned; the Hydriots in general inherit the characteristic of their forefathers; and the Islanders are always smart, active, and lightly formed: all have sparkling eyes, remarkably white teeth, and jetty black and curling hair. In the Islands their dress is in general either the Frank or Hydriot; and on the continent it is always, with little variation, the Albanian. A red cloth scalp; or skull-cap, ornamented with a blue tassel, and sometimes girt with a turban, forms their head-dress, from under which their long hair falls over their neck and shoulders; a vest and jacket of cloth or velvet, richly embroidered, and cut so as to leave the neck bare; a white kilt, or juctanella, reaching to the knee, beneath which they wear a pair of cotton trowsers, of the same fashion and materials as the jacket; shoes of red leather, and a belt containing a pair of superbly embossed pistols, and an ataghan (a crooked weapon, serving at once for a sabre and dagger) completes the costume: over this they throw the white, shaggy capote of the Albanians, which likewise serves them for a bed during the night. The strictness of the Turkish law forbade the Greeks to wear gold or gaudy colours in their dress: and this long fast from finery must needs account for the extraordinary richness of their present costume; on which the lacing and ornaments, in many instances, like Peter's coat, concealed the colour of the cloth. A dress of the first quality, without the arms, cannot cost less than 2,500 piastres;<sup>6</sup> and, with all its costly appurtenances, frequently double that sum. The expense to which they go in the purchasing of pistols and ataghans, is at once ridiculous and hurtful; the sight of a richly-dressed Greek being necessarily a strong stimulus to the courage of an impoverished Musulman. All this profusion, too, is practised whilst the Greeks are exclaiming against their poverty, and complaining that they have not means to prosecute the war; and yet the worst armed soldier must pay, at least, two or three hundred piastres for his outfit; and the more extravagant, at least, as many thousands,—not for the excellence of the pistol, but the richness of its handle. The names of the Greeks are various, according to the taste or superstition of their parents: the greater part bear those of their most distinguished ancestors: Epaminondas, Leonidas, Themistocles, Pelopidas, Achilles, and one member of the legislative body is called Lycurgus. Those which are peculiarly modern Greek, are retained most commonly, as Constantine, Spiridion, Anastasius, Demetrius, Anagnosti, &c. The names of the most popular saints have been conferred upon many; and, by a curious coincidence, I had two Moreots in my service at Napoli di Romania, called Christo and Salvatore. pp. 312—332.

Of the Journal of Count Pecchio, as well as that of Captain Humphreys, we shall say little, not that they are undeserving of notice, but that our article is already of an immoderate length. We may, however, add, that the former is a pleasant, sensible, narrative, and very creditable to the writer.

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<sup>6</sup> A piastre is about 5½d., or rather more.

# QUERIES RESPECTING THE NATIVE ARMY.

*To the Editor of the Oriental Herald.*

SIR,

Calcutta, 2d May, 1825.

As the law officers of the Honourable the Court of Directors and many others are near you, it will be useful to the Native army if any gentleman would have the kindness to explain—Why a Native Regimental court-martial in a regiment of the line, on the Bengal establishment, is *ILLEGAL* without the *presence of a sworn interpreter to the court*, whereas, in all local and provincial corps, *subject to the very same articles of war as a regiment of the line*, the same court would be deemed *LEGAL* by the commanding officer, Major general of division, and finally sanctioned by the Commander-in-Chief? Thus it is that law is *not* to be equally administered to all ranks and classes of the Native army serving the state.

Local and provincial corps (some<sup>1</sup> forty in number of about 1,000 men each) are officered generally from the line, to save expense and retard the promotion of European officers that should be appointed to them; and it is thus *law and equity* go hand-in-hand with injustice, leaving the Court of Directors the boasted advantage of grey-headed subalterns, of good experience no doubt, being of sixteen, seventeen, and eighteen years standing in their service.

In England, actions might lie for damages for the infliction of lashes illegally; and the day may not be far distant when such proceedings may be passing events in the Supreme Court of Calcutta.

A BENGALIEE.

<sup>1</sup> Governor-General's Body Guard, Sappers and Miners, Pioneers, Es-corts, 1st, 2d, 3d, 4d, 5th, 6th, 7th, 8th, Local Horse; Calcutta Native Militia, Ramghur Battalion, Hill Rangers, Dinapore Battalion, Champaran Light Infantry, Nusseree Battalion, 2d Nusseree Battalion, Sirmoor Battalion, Kamoon Battalion, Rungpoor Light Infantry, Goruckpoor Light Infantry, Ramporah Battalion, Bencoolen Battalion, Mundlesir Battalion, Sylhet Battalion, Burdwan, Dacca, Chittagong, Moorshedabad, Furruckabad, Benares, Cawnpore, Furruckabad, Bareilly, Saharunpoor, Agra, Delhi, Orissa, and some Sebnulies.

## BALLAD.

[The length of the narrative given in our last, under the title of 'The Assassin,' prevented our giving the accompanying Ballad, which formed a part of the Tale, entire: and as some inaccuracies crept into the short portion then printed, we take the earliest opportunity of presenting it to the reader in its whole and perfect state.]

THE new-born babe to its mother's breast  
Hath been fondly clasped with a hallowed joy;  
By kindred near it is warmly caressed,—  
But where is the sire of that lovely boy?  
Time flies—the guests are met in the hall,  
To greet the young stranger with flaxen hair;  
But why doth a tear from its mother fall?  
The spouse of her bosom, alas! is not there!

*Oriental Herald*, Vol. 8.



The grandsire hath blessed the innocent child,  
 And the grandam oft kissed it with secret pride ;  
 But on its fair cheek hath its father smiled ?  
 Ah, no !—to that father such bliss is denied !  
 Ye may trace the fleet hart, at the evening-close,  
 To its covert amid the silent glen ;  
 But yon infant's sire, by friends and foes,—  
 Hath been sought in vain 'mid the haunts of men !  
 The bird of the forest, that wings its way  
 Over heath, over mountain, and desert wild,  
 Returns to its nestlings ; but who can say  
 When the exile shall gaze on his only child ?  
 A right-solemn christening is held ; but why  
 So oft looks the nurse from the abbey door ?  
 'Tis to watch through the tall elms with anxious eye  
 If the father's fleet courser tramp over the moor.  
 He comes not ; and, lo ! from the holy font  
 The baby is borne, deck'd in mantle so gay ;  
 But the mother's eyes beam not as they were wont,—  
 He who wooed their bright flashes is far away.  
 The banquet is spread, and the goblet passed,  
 And glee stands on tiptoe, and bumpers are flowing,  
 And revelry swells in each echoing blast  
 That through the glad welkin is cheerily blowing.  
 'Tis the twilight-hour—the feast is done—  
 The darling is hush'd in a balmy sleep,  
 And the mother now sits by her infant son,  
 Perchance to smile o'er him—perchance to weep.  
 Yet cheer thee, fair lady, and comfort thee,—  
 Thy husband's proud spirit will never shrink ;  
 And bethink thee, that Fortune, all blind though she be,  
 Oft saves the lorn wretch on the precipice-brink.  
 The wassail's begun—near the cheerful hearth  
 The gay serfs are all seated in best attire ;  
 They quaff to the baby with boisterous mirth,  
 And the jest passes round by the crackling fire.  
 It is midnight deep—the revel is o'er—  
 The wassailers to their homes have sped ;  
 They have praised the sweet bantling, but marvell'd more  
 Where its sire might be resting his aching head.  
 Anxiety's fever will prey on the frame,  
 When no cheering sunshine bids hope good morrow ;  
 But the manly soul gleams with a brighter flame  
 The nearer its disk float the clouds of sorrow.  
 Time flies apace—the young mother is gone  
 With the child to her husband's paternal home ;  
 And her infant is doatingly gazed upon  
 By the inmates of that friendly dome.  
 But its father ! its father ! O where doth he dwell ?  
 And how can he curb the fond wish to see  
 His heart's dearest treasures ? 'Twere vain to tell—  
 An evil star governs his destiny.

CLAIMS OF THE RESPECTIVE ARMIES OF INDIA TO THE  
BOOTY CAPTURED IN THE DECCAN.

IN our last Number, we took occasion to make some remarks on the tardy distribution of the prize-money captured during the late Mahratta war, which have drawn down on us censure from more than one quarter, on the ground that we had shown an unjust leaning to the side of the Deccan divisions, and against the grand army, on the eve of a rehearing of the question at issue between them.

Now, in this censure, there are no fewer than three errors. In the first place, we were not, and are not, aware of any intended rehearing of that main question: in the second, we had no intention, in any thing which fell from us, of reviving a discussion, which we conceived would be fruitless: and, in the third place, we have not, and never had, any such "*leaning*," which the readers of the '*Calcutta Journal*' must well recollect—but the very reverse; in common, we imagine, with every person who knows the real share which Lord Hastings had in the military manœuvres of the combined forces.

What we *did* animadvert upon, was the extraordinary and mysterious delay which it seemed to us had taken place, in carrying the decision of the Lords of the Treasury into effect. Whether that decision had been right or wrong in principle, one thing did appear sufficiently clear, that the trustees appointed to carry it into execution were bound, by every conceivable obligation, to exercise all due diligence and zeal in fulfilling their commission. They were, in particular, bound to open their doors wide to the inquiries and researches of the parties interested in sharing the booty, instead of repelling them in a supercilious or cavilling spirit, as we were assured had been the case, upon authority to which we could not refuse our confidence, backed as it was by the correspondence between the trustees and the claimants.

We trust we have, by this explanation, set ourselves right with our *Bengal* friends, as to the real scope and extent of our remarks, confined as they were to the difficulties so often and so publicly alleged to have been created by the Duke of Wellington and Mr. Arbuthnot, in the distribution of the booty adjudged to the Deccan army. But we must now go a step further, and take the opportunity of saying something on the proceedings which took place at the Treasury Board on the 6th instant, of which a report will be found, under the proper head, in our subsequent columns. As one of our editorial associates, well accustomed to reporting proceedings of courts and public bodies, was present among the auditory, we can rely on the accuracy of our information as to what passed.

To make our notice of these transactions more distinct, especially to the comprehension of our readers in India, we must first state briefly the pretensions of the several parties who appeared, by their counsel, before the Lords Commissioners of the Treasury.

The rules for determining what is or is not prize, in cases of maritime capture, and for adjusting the pretensions of rival claimants, as well as the portions of the sharers, are ascertained by statutes and streams of precedents. So joint captures by land and sea forces are regulated by law and usage, and may therefore be the subject of formal proceedings in the courts.

But captures by the King's land forces, or the King's and India Company's jointly, are considered, in law, not to be regular prize, but "plunder and *booty*," and as such, the *sole* property of the Crown. When such captures were made heretofore in India, the Crown, on three several occasions,<sup>1</sup> granted the proceeds to the East India Company, with express reservation that one half should be divided according to the proportions sanctioned by usage, among the *actual* captors; while the other moiety might be retained by the Company, "to their own use and behoof," and "towards their expense." On three other occasions of capture, by Lord Harris, Lord Lake, and Sir A. Wellesley, the booty was divided on the spot, without reference to superior authority. In the first of these, (Serengapatam,) indeed, a *subsequent* reference was made by the Company to have the illicit partition legalized, which was done; and the same grant conferred on the Company all that was left undivided, namely, the guns and military stores.

The "*booty*" taken during the Mahratta and Pindaree hostilities of 1817 and 1818, whether captured by the troops, or confiscated by the civil authorities of the East India Company, amounted to a very large sum. The smallest valuation of which we have heard, is that attributed to the Directors, and said to be 1,800,000*l.*; while the highest, that of the Deccan army prize agents, (see the article in our last Number,) carries this as high as seven millions sterling, independent of the four millions set forth as acquired by the Company, but not *claimed* for the troops. As one of these parties is interested in exaggerating, and the other equally so in keeping possession of the alleged booty, the truth probably lies between their statements.

The official advisers of his Majesty, in the exercise of that part of the royal prerogative which relates to the making of pecuniary grants, are the Right Honourable the Lords Commissioners of the Treasury. To this Board, accordingly, memorials were presented by the four parties chiefly interested in the appropriation and distribution of the booty, and the case came to be heard by counsel in the month of January 1823.<sup>2</sup> The parties were—1. The East India Company. 2. The Marquis of Hastings, for the whole troops from all the Presi-

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<sup>1</sup> Viz.: The Mysore war of 1793; the capture of Pondicherry, in 1793; and of the Danish factory of Serampore, in 1807. The *original* letters patent, 31 Geo. II., which comprehended captures by *Company's troops only*, granted the whole booty to the Company, without reserving any thing for their troops.

<sup>2</sup> The Lords of the Treasury, in January 1823, were, the Earl of Liverpool, first Lord; Lord Bexley, Chancellor of the Exchequer; Lord Lowther, Lord Granville Somerset, the Honourable Berkeley Paget, junior Lords.

dancies. 3. Sir T. Hislop, for the Deccan divisions exclusively. And, 4. Sir W. Keir, for the Guzerat (Bombay) division, which co-operated both with the grand army and with the corps of the Deccan.

THE EAST INDIA COMPANY, by Serjeant Bosanquet, claimed the whole booty, on the strength of the precedents before mentioned; one half to be granted to the troops, according to an allotment to be directed by the Crown. With regard to the other half, the Serjeant intimated that, as on all former occasions, the Company had distributed their moiety among the captors,<sup>1</sup> so on this they would doubtless pursue the same course. Their Lordships, however, appear to have turned a deaf ear to this learned advocate; they granted nothing to the Company, and every thing to the army. If the Directors really meant to bestow *their* half on the army, it would have been a piece of farcical foolery, to go through the solemnity of *A* giving to *B* what *B* binds himself to give up to *C*. If the Directors did *not* mean so to bestow their moiety, but to retain something "towards their expenses," it was better not to lead them into this temptation, doubly strong where the amount was so great, and the Company stakeholders of that portion which was in dispute between them and the army, on the doubtful question of booty or no booty.

But the real tug of war—the Honourable Company being thus disposed of—lay between LORD HASTINGS and SIR THOMAS HISLOP. The former declared himself to have been Commander-in-Chief *de jure* and *de facto*, alone entitled to direct, and *having actually directed*, every disposition and movement in the combined operations of the whole of the troops, King's and Company's, from all the Presidencies of India. Sir T. Hislop was thus, in Lord Hastings's view, entitled to exercise, and did actually exercise, no higher military functions than those of a Lieutenant-General, commanding a subordinate *corps d'armée*, consisting of certain divisions of troops originally brigaded in the Deccan, and which moved up from the *south* to the Nerbudda, to co-operate, in the strictest military sense, with the Bengal divisions from the *north* and *east*, under the Marquis, and with a Bombay division, under Sir William Keir, from the *west*. Mr. Adam and Dr. Lushington appeared for Lord Hastings, and claimed, on his behalf, and that of the Bengal and Guzerat divisions, that the *whole* of the forces engaged in this combined and complicated campaign should be considered as the co-operating and associated body under the Marquis of Hastings, entitled to share conjointly, according to rank and usage.

Lieutenant-General Hislop, on the other side, maintained, by his counsel, Mr. Harrison and Dr. Jenner, that the divisions forming the "Army of the Deccan" composed a distinct and separate force,

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<sup>1</sup> We do not imagine the learned Serjeant can be incorrect in this insinuation; yet we are something puzzled by the downright and invariable language of the Company's former memorials, and the consequent grants, which set forth the cost and charges of the expeditions, (even that to Serampore in 1807!) and claim the moiety in reimbursement thereof.

whereof Sir T. Hislop was the independent Commander-in-Chief, and that all prize captured by any one of these divisions, so long as the army of the Deccan continued embodied, ought in justice to be shared among the officers and men of the Deccan army only, to the exclusion of Lord Hastings and the grand army, and of Sir W. Keir and the Guzerat (Bombay) corps. It was not denied that Lord Hastings, as the superior officer, as holding the commission of Commander-in-Chief of all the King's and Company's forces in India, or as being specially invested with the *eventual* direction of the whole operations by the Governor-General in Council, *might have given* military directions to the Commander of the Deccan army, and so have assumed the supreme command. But it was denied that his Lordship had done so, inasmuch as the various orders which he was admitted to have issued to the Lieutenant-General in the Deccan, were alleged to have emanated from the Marquis, not in his capacity of Commander-in-Chief, but in that of Governor-General.

After long and able arguments of several days duration, their Lordships, on the 5th of February, came to that singular decision, of which no military man, acquainted with the facts *and unconnected with the winning party*, with whom we have ever conversed, has been able clearly to understand the grounds, or approve the correctness. As to unskilled *lay* critics in such professional matters, like ourselves, we can only confess that our reason is wholly confounded by a verdict which seems virtually to declare, that the veteran Marquis of Hastings did *not* plan or personally direct those combined and vast manœuvres of the most memorable campaign in our Indian annals, for "conducting" which "in person," and *in his military capacity of Commander-in-Chief*, his Lordship received the thanks of both Houses of Parliament, and both Courts of East India Stockholders.<sup>4</sup>

The Lords Commissioners, by this verdict, established Sir T. Hislop as the independent Commander of a separate army (of the Deccan.) They laid down the general principle, that actual capture was to be the general basis of sharing; that association was not to be entertained as conferring any rights to share, but that "*constructive capture*" was to be confined to the narrowest limits. Accordingly, they pronounced, that down to the dissolution of the army of the Deccan, on the 31st of March, the captures made by any of its divisions, at Poonah, Nagpore, and Mahidpore, were to be shared only by the divisions which were engaged on those "respective occa-

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<sup>4</sup> "For those eminently skilful and judicious *military* arrangements, which enabled him to *defeat* the hostile aggressions of the Mahratta Princes in a *campaign*," &c.—LORDS' THANKS, 2d March 1819. The whole document relates only to Lord Hastings's *military* capacity, avoiding, as premature, any thanks for *civil* or political services. The Commons' thanks are to the same effect. The Courts of Directors and Proprietors thank Lord H. for *planning* and *conducting* "the late *MILITARY operations*." The Court of Proprietors further thank him for "combination of *military* with political talents," and "encountering the proceedings of the hostile Mahratta confederacy," &c &c.

sions."<sup>5</sup> Sir T. Hislop, as Commander-in-Chief, and his Staff, participating in all, to the exclusion of Lord Hastings and the Bengal divisions. It was admitted, however, that General Hardyman's division was justly entitled to share in the Nagpore prize, as having been detached by Lord Hastings to co-operate in the capture of that place, and having on its way actually engaged a body of Nagpore troops, before the capture of that city. With regard to other captures in 1817 and 1818, whether effected before or after the Deccan army was broken up, the Treasury decided that they were to be given to the divisions of either army which had taken them.

The execution of this Treasury Minute was assigned under a royal warrant to the Duke of Wellington and Mr. Arbuthnot; and certain it is, that whatever may have been the *causes* of the delay, no progress is known to have been yet made towards arrangement of pretensions, far less towards actual distribution to those claiming to participate, under the warrant. The complaints of these gentlemen have been vehement and frequent; they have appealed to the Press and to Parliament, and have been met with excuses which, to say the least, have not satisfied *them*. Our sympathy is, at all times, sufficiently prone to fall in with those who have to complain of ill-usage from men dressed in a little brief authority: we have ourselves drank, even to overflowing, of that bitter and sorrowful cup, and charitable spirits will make large allowance, if we seem overquick and sensitive to alleged wrong on the part of power towards the comparatively feeble. But wilful injustice and want of candour, even where we disapprove or disagree, are not, we trust, among our ordinary sins, and we shall be the first to make the *amende honorable* to the Treasury trustees, if we have done them wrong in adopting, to a certain degree, the public accusations preferred by the Deccan prize claimants, of mystery and reserve, injurious to the cause of the armies whose interests are intrusted to the keeping of these high personages.

These observations are drawn from us, by certain remonstrances which have reached us, though not in a shape for publication, protesting against our treatment of this subject in our last Number, and suggesting, in explanation of the trustees' delays, that no progress has yet been made by them, for this very best of all possible reasons, namely, that they find it *impossible* to execute the warrant, because of its conditions, which are found to involve irreconcilable contradictions and difficulties. These difficulties were evidently not contemplated by their Lordships, nor were they likely naturally to present themselves to "*lay*" persons, called on to pronounce on such a

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<sup>5</sup> The phrase "*occasions*," thus distinctly given in the Treasury Minute, seems remarkable, as if referring to the actual occupation of the *cities* of Nagpore and of Poonah, and to the *battle* of Mahidpuré, *not* to the campaigns generally, against the three *states*, (namely, the Peishwah, the Berar Rajah, and Holkar,) nor to captures made in their dominions upon any other "*occasion*," except the three specified.

question, which, though seemingly a plain and simple one of fact, in reality, involved most important principles strictly professional, depending, in a great measure, on points and localities which appear to have been but imperfectly developed, if we may judge from the printed papers of the several parties. We have been assured that several *scores* of collateral suits and cross claims are ready to be put in, and counsel even engaged to argue them, the moment that the trustees open their doors to the reclamations of individuals and corps. Nor will this appear so wonderful, when we advert attentively to the principle laid down in the Minute, and its necessary consequences. For example; upon each alleged capture, the following questions may arise, which must be satisfactorily investigated and applied, before the conflicting claims of all the commanders and corps can be decided on:

I. WHERE was the supposed booty taken?

1. If at Mahidpore, Nagpore, or Poonah, it belongs to the Deccan army, *primò facie*, provided it was within the limit of time (No. 2.) by the Treasury Minute.

2. If elsewhere, was it within the *territories* of the Peishwah, Berar Rajah, or Holkar, in places included in capitulations and treaties, or not so included?

3. Was it *without* the limits of time and place?

4. Is any superior, and who, entitled to participate with the captors, as being chief commander within the limits of the capture?

II. WHEN taken?

1. *Before* the 31st of March? If so, it is the army of the Deccan's, provided, always, it was taken on the "*occasions*" specified above.—(See No. 1.)

2. *After* the 31st of March, and in continuation of sieges, &c., actually begun before the Deccan army was dissolved? If so, it is claimed by them.

3. After the 31st of March, and NOT in continuation of such sieges.

III. By WHOM taken?

1. By a Deccan division alone, and which?

2, 3, 4, 5. By a Deccan division, aided constructively by any (and what) Deccan, Bengal or Guzerat division, or any (and what) corps independent of either army?

6. By a Bengal division alone, and which?

7, 8, 9, 10. By a Bengal division, (and what?) aided constructively as above.

11. By the Guzerat corps alone?

12, 13, 14, 15. By the Guzerat corps, aided by any other as above, and what other?

16. By any and what independent corps, or division, unaided?

17, 18, 19. By any such corps (and what?) constructively aided as above, and by whom?

20. By the civil officers of the East India Company?

IV. FROM WHOM taken?

1. From *Mahrattas*? To which case the Treasury limitations are alleged to be confined, and constructive capture by the Bengal and Bombay divisions denied.

2. From *Pindarees*? The operations against whom (wherein general combination seems admitted) are alleged by the Deccan army to be totally distinct from the simultaneous Mahratta operations of the campaign.

As it seems evident that every question, as to booty or no booty, captor or no captor, actual or constructive, and title of contending commanders-in-chief, must pass the ordeal of strict investigation upon a considerable number of these categories; it is manifest how intricate and perplexed a subject the trustees will find it, to arrange all claims under the entangled rule laid by the Lords, if that is to be literally adhered to. Some captures were made, which would suit the army of the Deccan as to the Treasury limit of *time*,<sup>6</sup> but not *place*? others are within the geographical bounds, but not those of time. Some, again, are out of both limits; and others within both, though captured not by Deccan divisions, but independent corps acting from and reporting only to Bombay.<sup>7</sup> To complete these whimsical permutations and combinations of pretensions, there are, besides, captures made within the limits of prescribed time and space, by *Bengal* corps placing themselves under the command of Sir T. Hislop, and co-operating in his movements.

Some of these strange anomalies, so difficult to reduce to any systematic rule, except that of general division among the whole, we give, as quoted by a Bengal friend. General Hardyman's Bengal division (before the 31st of March) marched and fought in the Nagpore dominions. He issued his orders to Lieutenant-Colonel Macmoline and Major Richards, on the Nerbuddah, commanding Bengal detachments from Colonel Adam's Deccan division. Sir Thomas Brown's Bengal corps, composed of detachments from Lord Hastings's own division of the grand army, and from General Marshall's (left) division of the same, moved down to co-operate with Sir T. Hislop; he put himself in communication with the Lieut.-General, and with Generals Keir, Adams, and Malcolm. He anticipated the two last in their chase; intercepted and destroyed the infantry and guns of Holkar's army under their principal generals, flying from Mahidpore, and rallying at Rampoorah.

Sir Rufane Donkin's Bengal division, at the express desire of Sir T. Hislop, moved, south and east, to intercept the remains of Holkar's power flying to the north from the Deccan divisions, remained in communication and co-operation with Sir John Malcolm for several weeks till all was quiet.

Sir W. Keir's Guzerat corps, though not a part of the Deccan army, was directed by Lord Hastings to co-operate with Sir T. His-

<sup>6</sup> Down to the 31st of March.

<sup>7</sup> The "*occasions*" of Mahidpore, Nagpore, and Poonah.

<sup>8</sup> As Colonel Prothers, Imbach, and other detachments in the Concan.



lop. He did so against both Pindarees and Mahrattas; detached his cavalry to reinforce Sir J. Malcolm in pursuit of Holkar, while his infantry and artillery joined Sir T. Hislop, and forced Holkar to make peace, by following him up after Mahidpore. Sir William was for some time the connecting link between the extreme right of the grand army and the advanced corps of the Deccan, and reported his movements to Lord Hastings as well as Sir T. Hislop. Colonel Adams, at the opposite extremity, did the same thing on the left.

In fact, during the operations in Holkar's territory, six divisions appear to have been in close combination, and within a few miles or marches of each other all the while, and the officers were in habits of passing and visiting from one camp to the other. These divisions were: Sir T. Hislop's, Sir J. Malcolm's, and Colonel Adam's Deccan divisions; Sir W. Keir's Guzerat division; Sir R. Donkin's and Sir T. Brown's grand army divisions.

That the application of the Treasury rule is no easy matter, under many imaginable cases that will offer themselves to the trustees, will sufficiently appear from the circumstance, that the rule does not even *directly* say, but leaves to be inferred, who is to share, as Commander-in-Chief, even when it indicates *which* are to be the sharing divisions.

Thus it is admitted in the Minute, that General Hardyman and his division share in the Nagpore prize. But Nagpore was taken by General Doveton with a corps composed partly of his own, partly of Colonel Adam's Deccan divisions; partly of two independent battalions left for the defence of Nagpore; partly of the Resident's escort; neither of whom come strictly within the Treasury Minute as "*Deccan divisions*." General Hardyman belongs to Lord Hastings; Doveton to Sir T. Hislop. The Minute says, that the latter is to share as Commander-in-Chief in *all* captures by Deccan corps. Yet the Minute also says, that Lord Hastings's detached brigadier (Hardyman) is specifically to share at Nagpore! Now, which is to have the Commander-in-Chief's portion? Both cannot share as chief, for that would absorb a double sixteenth from the army. Nor, indeed, could they by any device get rid of the military axiom, that there can be but *one* chief, and no division of supreme authority or of consequent prize. It will not do to divide the Nagpore booty into shares proportionate to the strength of the divisions, and let each give one-sixteenth of its portion to its own Commander-in-Chief. There is no precedent for any such fanciful partition; and all prize division proceeds invariably on the hypothesis of an allotment to the *whole* of the shares, personally according to *ranks*; by poll, so to speak, and not by *corps* or *sections* of troops; otherwise, the solecism might arise, (as in this particular case,) of the superior commander getting a smaller share than the subordinate.

In short, from the moment the only salutary and easy principle was departed from, of throwing the *whole* booty, from first to last, into one common fund, and apportioning it, agreeably to usage, ac-

ording to the rank of parties, difficulties have taken place, and must multiply at every step, and every day, to the benefit—not certainly of the prize claimants. A finer field for litigation could not well be imagined, than such an involved case as this prize question, all possible law charges being provided for out of the booty, in the first instance, whatever the amount, whoever wins or loses!

The proceedings of the 6th instant at the Treasury-Board, we conjecture to have arisen out of this infinite perplexity in the application of the rule to the facts and claims as they developed themselves to the trustees. Their Lordships, in general terms, professed adherence to their Minute, as approved by his Majesty. Every one present seems to have felt it difficult to catch, very precisely, the object of calling the counsel of all the parties again *before the Board*, instead of leaving the trustees to act like judges in interpreting and applying the law. It would seem that this law (the Treasury-Minute) cannot be intangible and irrevocable, as those of the Medes and Persians, since the Board who made it are about to reconsider it in some form or other. Whether that is to be in the shape of an amendment, declaration, addition, or the like, cannot yet be guessed; but two things seem beyond doubt: 1st, That the law of the 5th February, as it stands, cannot be satisfactorily carried into effect by the Judges set to execute it. 2d, That if *any* thing in that law can *now* be altered, *every* thing may be altered by the same plenary authority. The objection taken, of the royal approbation having been declared, must, if conclusive, go to bar the minutest alteration, as well as the most important. But even in judicial proceedings in the Court of King's Bench, where the law supposes the sovereign in *propria persona*, no consideration of that formal sort precludes the parties from moving a court from granting new trials, under certain conditions and limitations. Are we then to consider the royal approval affixed only as a matter of regular form, to a measure not legislative, not judicial, but simply ministerial; and proposed by a department of the executive, as concluding against the Crown itself and its constitutional advisers, who are responsible for all its acts, even to the affixing of the sign-manual; or suffering a measure, subsequently found erroneous, to be persevered in for the sake of supposed consistency, dignity, or the like?

On the 9th of January the discussions are to recommence; and, as far as can be gathered from the speeches of the first Lord and of the Chancellor of the Exchequer, the course taken will be, that Sir T. Hislop's counsel will prove to the Board their right, under the Board's minute and rule, to certain booties, as Deccan army-captures, actual or constructive; Lord Hastings's counsel, Sir W. Keir's, and those who appear for the Concan and other independent corps, will controvert, if they can, the claims set up by the Deccan counsel, and establish respectively their own where they can. The residue of the booty, comprising, probably, every thing taken by non-military functionaries, will then be a remainder fund, to be distributed at the royal pleasure. All this does certainly seem the proper province of the trustees named to execute the law of distribution previously laid

down by the Treasury; and the interposition of the Board itself in this stage, take it how we will, seems clearly to show a power of *revision* as existing in that Board. For the royal warrant, echoing in course the Minute, contemplates references back from the trustees to their Lordships only in disputes with the holders of booty; and when the scheme of distribution, *agreeably to the principles of the Minute*, shall be completed, to obtain sanction finally from his Majesty. The impending proceedings of counsel before their Lordships certainly do not come within either of those characters.

But it is vain to guess: a few days will render the whole matter sufficiently clear. For one moment we cannot suppose that Lord Hastings and his Bengal friends, after all the suspense, anxiety, and very severe disappointment to which a most unlooked-for decision has already exposed them, would have been lightly called on by considerate and honourable public men, again to subject themselves to unavailing toil, and to fruitless repeated endurance of so much distressing anxiety and suspense. To hundreds of our humbler friends who served in the Bengal divisions, and many of whom encountered infinite fatigue and danger, considerable expense, and even some losses, in the various operations of the campaign of 1817-18, the decision of February 1823 was absolutely ruinous, as well as astounding. No one was prepared for such a cruel law; and if nothing should turn up to their advantage out of the revived discussion, we shall indeed bitterly regret their unavoidable prolonged sufferings from this inconsiderate rekindling of extinguished hope.

As to the original question between the Marquis and Sir T. Hislop, we have never thought of it but in one way; nor has an inspection of all the printed papers in the least altered those sentiments, of which the 'Calcutta Journal' was the frequent vehicle, when this question was thoroughly and impartially debated in it some years ago. Discussion through the press had then been practically set free by the right feeling of the Governor-General; and his Lordship did not claim exemption for matters in which he was personally and nearly concerned, both in his public and private capacity.

The dispute seems, to our comprehension, to lie within a very small compass. It is admitted by Sir Thomas Hislop, that from the time of his passing the limits of his own (Madras) Presidency, and entering the Deccan, down to the dissolution of that army in March, he did receive and obey certain regular orders and instructions for his guidance in military operations from the Marquis of Hastings. But the parties go to issue on the question: Were these the orders of the Governor-General or Commander-in-Chief?

If Lord Hastings had a RIGHT to issue military orders, as Commander-in-Chief, to Sir T. Hislop; and if Lord Hastings at the time was situated in a CAPACITY so to do, then issue must be joined on the quality of the orders themselves.

So, if Sir T. Hislop had no RIGHT or privilege warranting his resistance to orders from the Commander-in-Chief; and if he was in a

position or CAPACITY to be so ordered, then the issue is joined on the nature of the orders.

Lord Hastings had a RIGHT to give orders to Sir T. Hislop: 1st, As the superior officer, and *primâ facie*. He was a General, and the other only a Lieutenant-General. 2d, *Primâ facie*, as holding the commission of Commander-in-Chief of *all* the King's and Company's forces in India; while the other was only Commander-in-Chief of the Company's troops on the coast of Coromandel. 3d, *Specially*, he had the right, in virtue of the commission under which both of them acted, *viz.*, the letter of the Supreme Council of the 10th May 1817 to Sir Thomas Hislop, to which they attach the Governor-General's minute of the same date, to explain and guide where their letter might be doubtful.

By these documents it appears, that the Supreme Council, fearing the disputes with some of the Mahratta powers might end in war, and desiring to crush the Pindarees, withdrew Sir T. Hislop from his own command (in chief) at Madras, invested him with political authority over all the functionaries in the Deccan, and with the chief command of all the forces in the Deccan, subject only to the control, in political arrangements, of the Governor-General in Council, or Governor-General singly, (who was proceeding to the seat of negotiation and eventual war,) and "subject, *eventually*, in the conduct of operations in the field, to the authority of the Commander-in-Chief in India."<sup>9</sup>

The *political* control here pointed out, was positive and immediate, to follow the assumption by Sir T. Hislop, on crossing the frontier, of political power over the negotiations already pending. His subjection, however, to a military superior was to depend on contingent "events." To what did "*eventually*" refer? Not to the "event" of the two Generals coming into contact, or effecting an actual junction in the field; for there needed no special commission or authority to put the junior under the senior in such a case,—a thing of course. The *parenthesis* in Lord Hastings's minute explains the meaning to be, in the conduct of the war, in the "event" of war taking place, and the military superior choosing to interpose. What other imaginable interpretation can be affixed?

Was, then, Lord Hastings in a CAPACITY so to interpose as Commander-in-Chief? He *was* in a condition to exercise these his rights:

1. Because Sir Thomas Hislop was out of the limits of his *own* im-

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<sup>9</sup> The exact words of the Governor-General's minute annexed to, as a key to this letter, are, "that the Commander-in-Chief of the army of Madras should be requested to assume the command of all the forces in the Deccan, and direct their operations, and the general course of any political arrangements with which they may be connected, under the sole and exclusive authority and instructions of the Governor-General or Governor-General in Council; or eventually (with regard to military operations) of the Commander-in-Chief in India."

mediate presidential superiors, and owed obedience only to the Governor-General and to the Commander-in-Chief in India.

2. Because this Commander-in-Chief in India, invested with controlling plenary powers, civil and military, by his Government, had quitted his seat of government, and proceeded to the field, expressly to assume the general direction of politics and war.

3. Because, in the course of the service, he not only did direct all the important movements of the troops that came up from the south under Sir T. Hislop, and from the west, under Sir W. Keir; but put himself at the head of the Bengal troops, and proceeded to the seat of war, to effectuate the general combination, and complete the general co-operation for the common objects of the campaign.

In opposition to these rights, and this suitable capacity of Lord Hastings to exercise them, can it be shown that Sir T. Hislop had any RIGHTS or privileges of exemption from the orders of his superior?

1. Sir Thomas was the junior officer.

2. Lord Hastings was Commander-in-Chief of all India by his commission.

3. Sir Thomas's whole authority and office, while in the Deccan, rested on the commission of May 1817, placing him under the Commander-in-Chief in India "*eventually*." Whatever Sir T. might think the just interpretation of this word, it suffices that his superior interpreted it differently, and issued orders on the strength of that. In military affairs, juniors must yield in such things to seniors, leaving to their common superiors to decide afterwards between them.

But was Sir T. Hislop in a *capacity* to receive and obey military orders from the Commander-in-Chief? He was so.

1. Because he was out of the limits of his own presidency, within which alone he could claim exemption from the orders of the Commander-in-Chief in India.

2. Because he was at the head of a *corps d'armée* in the field, and ready to co-operate with the grand army and the Guzerat corps, in the objects of their combined movements.

3. Because he was *reasonably* near, in a geographical sense, and *bond fide*, to the Commander-in-Chief of the whole—their several extremes in contact, and their head-quarters in constant communication with a post-office even established between them.

If, then, Lord Hastings had the RIGHT, and was in a CAPACITY, to issue orders as Commander-in-Chief to Sir Thomas Hislop, it remains only to see what was the nature, what the quality, of the orders and directions, which *it is admitted* he was constantly giving to the Deccan commander.

These orders may be viewed in relation to their SUBSTANCE and to their FORM.

1. As to their SUBSTANCE: let any impartial person read the Marquis's orders and correspondence with Sir Thomas, and the *replies of the latter*; he will see, that from the first, a complete and perfect scheme of operations was drawn out in minute detail by the

Marquis for the guidance of the General; in which the combination of the whole for one common end, and their concentration towards one focus, is the thing aimed at. He will find the part to be played by every division of both armies indicated, and alterations enjoined, even in strength and composition of Deccan corps and brigades; and he will observe too, how, when the scientific game began, each piece moved into its proper place, and all proceeded harmoniously as directed. It is remarkable, indeed, as military co-operation has been denied, that General Marshall, with Lord Hastings's left wing, was the pivot on which all Sir T. Hislop's, Sir J. Malcolm's, and Colonel Adam's movements hinged; while Colonel Philpots's, Major Cumming's, and General Brown's several detachments from Lord Hastings's centre division, kept the flying enemy from escaping to the north out of the mouths of the pursuers. He will find, besides, Sir Thomas Hislop's own personal staff and those of his brigadiers, and indeed, minute staff appointments and commands reported, confirmed, and put in general orders by Lord Hastings.<sup>10</sup> He will observe his Lordship authorizing Sir T. Hislop to try persons by court-martial, and inflict capital punishment, a function which never could appertain to the civil office of Governor-General. He will see Lord Hastings, on the supposed death of Sir Thomas, *directly* corresponding with and instructing, in a general order, each of the Lieutenant-Generals' divisionary commanders to report directly to his Lordship, instead of keeping up the nominal Deccan command as a separate thing. He will see Lord Hastings membering and dismembering the Deccan divisions at pleasure; ordering back Sir Thos. to the north of the Nerbuddah, which he crossed in alarm at the Nagpore explosion, to the injury of his Lordship's combinations; ordering Sir W. Keir to join, and disjoin, and rejoin Sir Thomas; ordering back General Smith to Poonah, and taking him from under Sir Thomas to place him under Mr. Elphinstone.<sup>11</sup>

It is unnecessary to say more; such things speak for themselves. They are essentially and indefeasibly military orders and acts, that can emanate only from a military commander, not a civil governor. Lord Minto accompanied the army to Java; but does any one suppose the Commander-in-Chief suffered his Lordship to give a single instruction *in detail* for the operations?

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<sup>10</sup> According to the constitution and practice of the Indian Government, we are told from good authority, temporary staff named for field service are approved by the Commander-in-Chief only. The Government does not interfere with any but regular and superior staff of the establishment.

<sup>11</sup> One whimsical effect of the Treasury Minute, is, to give Sir T. Hislop the lion's share, as Commander-in-Chief, of the booty taken by General Smith at Poonah!! Sir T. Hislop had no more to do with that capture than the man in the moon! For General Smith was expressly taken from under Sir T. Hislop on the 14th November, and Sir T. Hislop had no responsibility—no share whatever in his proceedings. It was this attempt of the Deccan army to seize Sir Lionel Smith's prize as theirs, which first gave rise to these disputes, and compelled Lord Hastings to proclaim the principle of a general division as the only way to cut so difficult a knot.

2. As to FORM: it is objected, that these orders and instructions, whatever may be thought of their essential qualities, were, in fact, civil, because recorded and occasionally passing through the civil, or *quasi civil* channels, of the *Governor-General's* secretaries in the political and military departments.

But even if there were this defect in point of form, that could not destroy the essential quality of the orders themselves; and the weight that is attached to this circumstance arises from non-advertence to local facts and considerations.

In the Correspondence, all of Lord Hastings's important letters to Sir Thomas, and to other commanders, appear to be written in original by himself, and signed by him without any adjunct to his name, signifying from which capacity they emanated.

Sir T. Hislop, like the Marquis, held a double commission, political and military. The military operations of this war, with so many powers and chiefs, sometimes for, sometimes against us, depended so generally on *political* contingences, that the orders signified by the Commander-in-Chief were of necessity a mixture of manœuvres and politics. With such a double and heavy burden on his shoulders, the Marquis of Hastings could not if he would, and would not if he could, have gone through the ceremony of distinct and separate letters, splitting the military and diplomatic—the one to pass through his political secretary, the other through his staff officers. Those busy days were not the times for such frivolous formalities; and it may be remarked, that, as there was no precedent of any such junction before of the armies and head-quarters and staff from Bengal and Madras, so no provision constitutionally existed for performing the staff duties of the *united* forces. The Adjutant-General of the Bengal army had no more title to be the channel of the *general* orders, issued to the whole force, than the Madras Adjutant-General, or the Adjutant-General to the King's troops, all present on this occasion, with head-quarters.

As every letter of Lord Hastings had to be *recorded* and transmitted to Government, that duty, as well as the multiplying of copies, naturally fell to the political or military departments of the Governor-General's secretaries, preferably to the Adjutant-General's office; because the secretaries were *sworn officers* of Government, and the state secrets mixed up with military affairs could not with propriety be recorded in the public staff offices, where there was no security against their becoming divulged, but the discretion of the numerous underlings of office.

In other respects, much care seems to have been taken to assert, on all occasions, the commander-in-chiefship of Lord Hastings. The style of "*Governor-General AND Commander-in-Chief in India*," seems carefully used in designating the few general orders published in the name of the Governor-General during the war, and issued by his secretaries. This was a substitution, wholly new, for the former style of "*Governor-General*" simply, and was advisedly used, we have good reason to believe, with an eye to the peculiarity of position between

the two Commanders, which has given rise to this prize dispute. It is remarkable, by the way, that on several occasions in his own Decan general orders, published in these papers, Sir T. Hislop designated Lord Hastings as 'Governor-Général and Commander-in-Chief' in India.

After all, the real test in a matter of prize and reward, ought to be this: with whom did the responsibility rest? To a certain degree, of course, every commander of a detached division, or *corps d'armée*, had a liberal discretion; but who was answerable to his employers and his country for the general plan and operations of the campaign? Not Sir T. Hislop, so long as he followed the careful directions he regularly received: not the Governor-General, who merely chalks out, as Lord Wellesley did in 1803, the rough general idea of the war: but the COMMANDER-IN-CHIEF, who directed and instructed every one. We cannot conceive a more fatal precedent to establish than this, of restricting booty only to the actually capturing division, in a vast force, composed of so many parts, each of which has its allotted sphere to act in, from which it ought not to be tempted to swerve for the purposes of special, selfish, and solitary advantages by seizures. Commanders-in-Chief, and of *corps d'armée*, too, are but men—and often poor men. However good and self-denying such elevated individuals may usually be, still, as general rules should be made on sound general principles, we cannot but think it unadvisable to increase the temptations to which spirited commanders are already sufficiently liable, by encouraging them to accompany *in person* divisions ordered on promising prize service, when they might be better employed for the public good in remaining at a distance to superintend and direct.

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SONNET TO THE MOON.

(Written off the Cape of Good Hope.)

SPIRIT of Gama! 'tis a glorious sight,  
While the gale hurtles through our straining shrouds,  
To watch yon planet, as she seems to fight  
Her tempest-troubled way 'midst warring clouds.—

Now they rush past her, as the surges white  
Which burst in thunder on our vessel's prow;  
Then on they roll, as black as starless skies  
In the hot tropics; or, all wildly rise  
In waves like those which welter round us now.

Yet still aloft she bears her glittering crest  
Through rack and thunder-cloud, as Vasco's bark,  
Which the first silver furrow here impress'd  
Upon the heaving billows, vast and dark,  
Held on her stormy way, with glory for her mark!

BERNARD WYCLIFFE.



## THE LITERARY SOUVENIR.

THIS is by far the most elegant work that we have seen of the kind. The composition, various in style and value, as must always be the case when so many contribute to one design, is, in general, of a very superior character, both in verse and prose. And the plates that adorn the volume are in several instances of exquisite beauty. Indeed, we never remember to have seen a book-print superior to the view of Bolton Abbey, in the present Literary Souvenir. Both the drawing and the engraving do honour to British art. We profess no connoisseurship, but, in our estimation, Bolton Abbey is the most beautiful landscape that the pencil of our English Claude has yet produced. The scene itself is of unrivalled beauty. Soft fields sloping imperceptibly to the edge of a placid brook, that, now hidden by tufted trees, now appearing slightly between the verdure, and now spreading its gentle waters to the sun, appears half slumbering on the scene. A few trees and bushes in the fore-ground, the former scarcely in full leaf, and therefore showing in a beautiful manner their knots and branches, appear slightly to shade the spectator from the rays of the sun, while he enjoys the loveliness of the landscape. Groups of cattle lie here and there upon the grass in drowsy tranquillity. Farther on is a richly wooded hill, over the summit of which a slender cataract dashes down in the sunshine like molten silver, and we seem as we look upon it to hear the distant rushing of its waters. On the right, rising above a small grove, appears the Abbey itself, looking bright and peaceful in the sun. Beyond, we catch a glimpse of a bridge thrown over the stream, and smoke curling up from some Arcadian village, scarcely discernible among the foldings of the hills. In the back-ground, light summer clouds stretch in long strips over the summits of lofty hills, and others of more volume diversify the sky. This is a mere list of the elements, if we may so express ourselves, of the landscape, whose beauty arises from the inexpressible harmony with which they are blended together. This harmony cannot be represented by words; or, if it can, it must be by the words of an artist-author like Mr. Hazlitt, who has the power of painting in syllables. In Richmond Hill, another engraving from a drawing by Turner, the sky is rich even to luxuriance, and the eye is carried over the subjacent plain to a great distance. The beauty of a level thickly-wooded country, intersected by a noble river, is extremely well expressed. But we think the artist has not made the declivity of the hill sufficiently felt. Perhaps a downward view from the side or summit of an eminence of moderate height, is never very fine in painting, when the back ground is nothing but an interminable flat. The Lovers' Quarrel, by Rolls, from a drawing by Newton, is a very fine engraving. The look of mortified affection with which the lady returns the miniature, and the arch suppressed laugh in the face of the maid, are exquisitely depicted. Perhaps the lady may appear a trifle

too mature, but this is hardly a fault. The hero of the piece, however, is by no means a *chef-d'œuvre*. Besides the appearance of foppishness, which is natural enough, there is an air of absolute silliness, of paltry vanity abashed, in his countenance, which raises one's contempt. We cannot expect phrenological exactness in every engraving; but a clever artist ought to be aware that there is no dignity in a forehead sneaking backward immediately above the eye-brows, and taking refuge under the hair. A double chin, too, is a sad ornament for a lover: yet Mr. Newton has contrived, by making his hero toss his head in a perilous manner, to give him the appearance of having one. But, setting aside the gentleman's visage, every thing in the engraving is extremely good. The Kiss, from a design by a Resch, (after the beautiful outline by Moses, taken from Goëthe's 'Faust,') is likely from the subject to be a favourite with some at least of our readers. There are other engravings, however, of a higher merit than this: as, 'The Rivals,' from a drawing by Leslie; 'The Foursaken,' (the face, however, a little too young,) by Newton; and others, which we need not enumerate.

The literary merits of the volume are, as we have said, very great, much greater than in the volume of last year. The pieces, too, are generally of a much livelier kind, and have occasionally a dash of humour. Undoubtedly, this is much better than those lamentable tales and ditties so fashionable two or three years ago, and still more in vogue than is desirable. Not that we would proscribe all pathetic pieces without exception; there are two in the present Souvenir which we would not willingly have lost—the 'Two Pictures,' and 'The Protégé.' Our objection lies against such only as are systematically saddened, merely because the writer considers it much less vulgar to sigh and look melancholy, than to laugh. The poetry of the volume, much superior to that contained in any work of the kind, is generally of a pleasing cast. It has more marks of diligent polishing, that is, of genius, about it, than the poetry we are accustomed to meet with in periodicals. One of the best pieces in the collection is, 'The Luck of Eden Hall,' by Mr. Wiffen. The principal idea was undoubtedly borrowed from 'The Flower and Leaf' of Chaucer; but in its development Mr. Wiffen has displayed much playful ingenuity. At page 178, there is another very pretty copy of verses by the same writer, entitled 'Stanzas for Music.' There is something extremely pleasing in Miss Landon's 'Romeo and Juliet.' Mrs. Hemans, a more experienced poetess, has also contributed several charming pieces. The Literary Souvenir is, indeed, indebted to both; and the variety, arising from the different tastes and talents of its contributors, constitutes for the general reader one of its greatest charms.

## MEDICAL SERVICE OF INDIA.

*To the Editor of the Oriental Herald.*

Sir,—Your residence in India must have made you thoroughly acquainted with the almost insurmountable difficulties that the many, or the individual alike, have to encounter, ere what they deem “grievances,” can reach those in whose power it lies, to redress them; I mean the Honourable the Court of Directors. If several persons present a respectful memorial they are guilty of a breach of “General Orders;” if an individual presents one (on a subject perhaps affecting the whole body to which he belongs, and who are as much interested in it as himself,) it is either thrown aside altogether, or he is regarded as a troublesome and dissatisfied “Individual,” and is fortunate if neglect alone is the consequence of his memorial. Being well aware that your very intelligent Journal is extensively circulated amongst those concerned in Indian affairs, (especially the Directors) and will be ever open to temperate discussion, I solicit the indulgence of being permitted through its channels to state a few facts and make a few observations, relative to the anomalous and neglected condition of the Medical Department of the Company’s Army, on the three Presidencies alike; and I cannot entertain the most distant doubt that, should the two points I more especially mean to touch upon be ever fairly laid before the Honourable Court for their consideration, that the Medical Department would even with the same liberality and justice that every other branch of the army has, by the late arrangements.

First, in regard to the hardship (not to say inconsistency) of there being no higher *permanent* rank for the *Company’s* Medical Officers than that of Surgeon, giving the rank of Captain only; yet *three* higher grades are established, giving *TEMPORARY* rank, as that of Major to staff, and superintending Surgeon, and the other that of Lieutenant-Colonel to Members of the Medical Board; which hold good in claims for prize money, choice of quarters, and the usual privileges attaching to those ranks. In his Majesty’s service there is no retrogradation. A King’s Medical Officer having attained the rank of Deputy, or Inspector of Hospitals, continues to hold it, and should the length of his services entitle him to retire, he does so as matter of course, with the pay attached to that rank. The next point that I trust will some day or another meet the consideration of the Honourable Court, is the very inadequate pensions which Medical Officers can retire upon, in comparison with their Military brethren. I say *very* inadequate, considering the expensive course of study necessary to form a well-educated Medical Officer, and the late age at which he lands in India, when he cannot be less than on the verge of three and twenty, whereas the Military Officer may not be seventeen. It may be said in reply that the period of service is only seventeen years for the Medical, while it is two and twenty for the Military Officer; and this, on a superficial view, appears to place

the parties on a level. But it will not be found so on looking at what actually takes place; for no man scarcely ever does retire upon Surgeon's pay, (about 190*l.* per annum.) Then comes the next step: the Superintending Surgeon, entitling him to 300*l.* per annum, and here lies a hardship indeed; to claim this, he must serve *two more years*; and should he then by unusual good fortune, get a seat in the Medical Board, he is entitled to 500*l.* per annum. But here *again*, *two more years' service* are required to establish this claim, so that he will have completed *twenty one years' actual service* in India, and the Military Officer has only twenty two. No such restriction, however, is laid upon them; the Captain is promoted to a Majority to-morrow, and the following day to a Lieutenant-Colonelcy, upon the rank and pay of which he can *immediately* retire. The very great uncertainty of life in India, scarcely justifies a man in looking forward to a seat in the Board; the present senior member of the Madras Medical Board, has been between thirty and forty years in the service, and so had the last member that retired. The senior member going out every fourth year, is an advantage not extended at present to the Madras Presidency.) That the Medical Officer, from whom so much is expected, and whose duties in the field especially (as I well know) are so arduous, and often so distressing, (in the Mahratta campaigns of 1817, 18, and 19, the casualties amongst the Medical Officers, exceeded those of *every other branch* of the army) should have the loaves and fishes dealt out to him so sparingly in reward, is much to be regretted; however, I cannot think that our Honourable Masters will forget us much longer (although a memorial of the same purport as this paper was lately rejected,) and I feel assured we have much to hope for from their justice and liberality, which, I believe, it is their wish to deal out with an even hand to all their servants. I believe we are precisely, or nearly so, on the same footing that we were in 1796 or 94, and in that respect stand alone.

As the above remarks and sentiments are, I may venture to assert, not those of myself alone, but the whole Medical Body, I am sure the insertion of this paper in your '*Herald*,' will be a great favour, (and, perhaps, a benefit,) conferred on them, as well as your servant,

CHIRURGUS.

Camp, Secundrabad, April 6th, 1825.

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#### GOVERNOR-GENERALSHIP OF BRITISH INDIA.

*To the Editor of the Oriental Herald.*

SIR,—When power is used only to be abused; when honesty meets with reprobation, and villany is sheltered by authority; when *sanguinary* measures are adopted to *suppress* the murmurs of the *oppressed*, and the wailings of the widow and orphan are alike disregarded,—the affections of the governed must speedily be alienated; distrust and hatred will take place of loyalty and respect; and even

*submission* will cease to be practised, so soon as it shall be freed from the influence of *compulsion*.

The public attention has of late been attracted, in an unusual degree, to the state of affairs in our East India possessions; and the conduct of the 'Governor-General' has in consequence been the subject of much discussion. It is not necessary to single out for animadversion any particular act of my Lord Amherst's government. We see numerous failures crowded into a short administration; and although results of a nature so *uniformly disastrous* do justify the supposition of a *wilful mismanagement*, yet the British nation, as if scorning to *retaliate*, will not at once proceed to *his Lordship's condemnation*, but, actuated by a feeling of mercy, will rather suspend even their censure of an individual, waiting with patience, in the fervent *wish* that some explanation may be produced, calculated at least to palliate the apparent *criminality* of his proceedings. His Lordship may derive profitable instruction from the humanity which has thus been extended towards himself; and the example may not prove unworthy of his own particular imitation.

But the task of *defending* the public measures of my Lord Amherst, (for his *private persecutions* he may be made to answer personally hereafter,) must devolve on those whose sagacity enabled them to *predict* the peculiar fitness of his Lordship for so exalted an appointment. Such *prescience* may go nigh to work a miracle, and truly, for the successful defence of such a career, the aid of *supernatural* agency may be requisite.

Private accounts from Bengal agree in representing imbecility as characteristic of their ruler; but surely, then, he should not be permitted to revel unrestrained, and perpetuate his vagaries by a persevering obstinacy. I would deny him the right of claiming exemption from the penalties of error. But if my Lord Amherst be *only a weak man*, (and some may take this to be the head and front of his offending,) the evil can and ought to be remedied, by his immediate recall from a situation, the affairs of which he has afforded such frequent and lamentable proofs of his incapacity to administer. Yet, as we cannot expect reparation for the past, so we can never cease to lament that the Governor-Generalship of British India, a post of such distinguished elevation, of such vast responsibility and trust, should originally have been conferred upon an individual already signalized by a failure, and who presented himself as candidate for the office distinguished, alone, by the ill success which had attended the only previous public act of his life.

INSPECTOR.

WESTMINSTER REVIEW ON THE STATE OF  
BRITISH INDIA.

THE last Number of the 'Westminster Review' contains an article on the state of British India, the whole of which we recommend to the especial attention of our readers in England, to whom that work is equally accessible with our own: and these we shall leave to make their own reflections on the subject. There are so many obstacles, however, to the rapid and extensive circulation of the best works in our distant dependencies, that this excellent article, if confined to the pages of the Journal in which it originally appeared, would not be seen by thousands there, to whom it is of the utmost importance that its truths should reach. The old established newspapers of England that reach the colonies, are too much occupied with the fleeting matters of the day to give even a column to the further extension of truth found in a review; and the newspapers of the colonies themselves, at least in that quarter of the world to which the article in question more especially relates, dare not, if they would, republish any portion of it that might be offensive to their rulers, as banishment and ruin would be the immediate reward of such unpardonable insolence!

These considerations have induced us to transfer some of the principal passages of the Review to the pages of the 'Oriental Herald,' as by that means the benevolent and public-spirited object of the writer will be most effectually obtained, by having his sentiments submitted to thousands in the East, to the remotest parts of which this work now penetrates; and we shall have our reward in the pleasure of being instrumental to the further spread of truths and sentiments in which we fully concur. Notwithstanding our extracts are copious, there will be much remaining in the article itself to recommend the perusal of the whole to those readers to whom the original work is accessible. We give the paragraphs in consecutive order; and though many intermediate sentences are omitted, the connexion is sufficiently preserved to leave the powerful reasoning of the whole unimpaired.

In India, as every where else, publicity is the only security against misrule, the only guarantee for good government. The press is the most important organ of publicity; it is the organ by which appeals are made to all space and all time. It is the witness which brings home all evidence to the great tribunal of public opinion. It has a voice, or ought to have a voice, for the many as well as for the few; for the few as well as for the many. Its touchstone is the well-being of society. No honest man can wish to stifle its decrees. A wise man would seek to array them in all possible authority. The sympathy, the sanction, of the many gives the highest conceivable influence to the few: the influence of wisdom, and virtue, and power combined—an influence always efficient and irresistible.

The remoteness of the Indian Government from the control of the British

public, makes it most important that opinion there should have its fullest influence, and that every channel should be opened through which it can make itself heard. The universal law, that the violence which finds vent is less dangerous than the violence which is repressed, has no exception in British India. In all those epochs of the annals of the *res gestæ Anglorum* in that country, when insubordination, and excess, feuds, and mutinies raged, the press was fettered and voiceless. During the brief periods, few and far between, when the press was permitted to speak out and do its natural duty, as the sentinel and watchman of the Government, apprizing it of danger, and watching over abuse, domestic peace prevailed. On the other hand, all the menacing intestine shocks that have put our power in India to extreme hazard, have occurred under the strictest censorship or restraint on the press. But it is not only on British misdeeds that a free press would operate beneficially, it would root out those Indian superstitions and cruelties whose records fill the mind with shuddering horror. The Native press had already begun, when it received its death-blow from the Governor-General Adam, and Judge Macnaghten, names thus saved from natural oblivion, to discuss many of the questions of Hindoo faith and practice; and the discussion would have done more than all the power of legislation, to check the monstrous observances of ignorant and benighted India. Was it nothing for civilization, was it nothing for Christianity, to have engaged the natives of India quietly and temperately to reason on the subject of their errors? Would the burnings of widows on their husbands' funeral pile, the drownings of the sick and the aged on the banks of the Ganges, the crushings of Juggernaut's car, have remained unchecked by better and sounder views of right and wrong? Or is it not to be feared, after all, that despotism chooses to keep its subjects unenlightened and unimproved, in order to make them the more ready and the less inquiring servants of misrule, whether as instruments or victims?

The definition of the crimes which shall be considered as warranting the deprivation of a license, is worthy, however, of being recorded, if it were only to register the heartless insult which follows them, that they "impose *no irksome restraints* on the publications of matters of general interest, *provided* they are conducted with the temper and decorum which the Government has a right to expect from them, living under its protection; neither do they preclude individuals from offering, in a temperate and decorous manner, through the public newspapers or other periodical works, *their own views and sentiments* relative to matters affecting the interests of the community." We will give the ordinance entire—an ordinance which obtained its first official sanction from a Judge sitting alone on the bench in the very Court appointed to protect the people of India from the oppressions of British misrule; an ordinance which gave the Government a *legal* authority to crush, summarily, and without form or trial, any person determined or disposed to utter a truth unpalatable to power.

Upon this follows a "regulation" prohibiting the possession, and decreeing the confiscation, of types or printing-presses held without a license, and at the same time authorising the Governor-General in Council to prevent the circulation of any work whatsoever. And thus, by a single enactment, and without the slightest reference either to the East India Company or the British Government, a temporary Governor-General, an ephemeral *locum-tenens*, aided and abetted by an ephemeral and temporary Chief-Justice, during an accidental absence of every other Judge, has ventured to put the press of British India in a situation as degraded as the press of Spain

under Ferdinand the Ingrate, or that of Russia under Alexander the Magnanimous.

It is perfectly clear to us, that this notable piece of legislation, which sacrifices the best security for well-being and good government of many, many millions of individuals, had its origin solely in spite against one. And is it not intolerable, even supposing Mr. Buckingham's conduct to have been as bad as his enemies would fain make it, is it not monstrous that the whole population of India should be insulted and degraded, in order to enable a fugitive Governor-General to wreak his vengeance on a banished Englishman,—on an Englishman whom he had already visited with persecution in every possible shape? Such short-sighted rulers as these would extinguish the sun because he had scorched a flower; they would shut up the water-sources of heaven, because a fly had been drowned in the rain.

In India, where free discussion has been deprecated and decried as dangerous to the stability of the Government and to the well-being of the people, it is not a little curious to see an appeal made to it by its most inveterate enemies. Mr. Adam, ill satisfied with the eulogies, which roll in an almost unvarying course towards every man, and every thing, which is associated with rule and with power, looked round for something of purer and brighter fame, and asked applause from that very public whose voice he had stifled, whose opinions he had scorned, whose sanction he dared not anticipate. And this exhibition of himself and his measures, grotesquely arrayed in the dogmatism of self-applause, yet betraying his own weakness and dissatisfaction, is a most amusing and instructive one. This "statement of facts, connected with the removal from India of Mr. Buckingham," displays all the pompous insolence of irresponsible power, curiously blended with the timidity of conscious feebleness and error. He assumes, that to differ with Government, to express an opinion in dissent from its measures, is in itself a crime, and then deals round him his unqualified vituperations against the criminals. Mr. Adam should have published no "statement of facts." A single "*sic volo*" would have been more emphatic,—a "*sic jubeo*" more argumentative; and he might have stored up the rest of the apothegm for future use.

It is an excellent thing to get at the *rationale* of despotism, and to listen to its exposure from its own lips. We recommend Mr. Adam's "statement" to the perusal of those for whom it was *not* intended; we solicit the serious consideration of the many for that which was meant only for the admiration of the few. Let them study the logic of power; its hollow pretensions to meekness and wisdom and virtue; its tremendous drafts on public confidence or public credulity; its pride, that apes humility; its cruelty and injustice, which take the name of expediency. Let them see how a weak reason, supported by authority, is made to crush a strong one which emanates from a popular source. Let them mark how arbitrary will can trample truth, intellect, and integrity into the dust; and out of all that is passed and all that is passing, mankind will assuredly learn at last, that irresponsible sway is a curse alike to those who are subjected to it and to those who wield it; and that there is no security against misrule, but in the scrutinizing ever-exerted activity of public opinion.

What are we to think,—what dare we think, of judges any where, who avow their dislike to be subjected to the commentaries and criticisms of the people, and shelter their official acts from discussion, under the shallow pretext of keeping up their dignity? dignity, forsooth, that can be bolstered up by gagging and silencing! Yet, let us not wonder at the Company's servants showing this criminal weakness, with such an example before them as that of the *King's* Judges, wholly independent of the Company or its local



Government, who have not scrupled to accept and profit, for years back, by a distinct *protection* and guarantee against all disagreeable comments on *their* public acts. It is fitting that this most base and infamous of all the many base and infamous deeds of English courtly judges, should be well and distinctly made known to all England, and it shall not be our fault if these good deeds be longer hid under a bushel.

To add to the indignation every honest free man ought to feel at such meanness of vaunted English Judges, and, as if to complete the self-degradation of this royal tribunal, expressly set up to protect the people against the despotism of the Governments, the Court, it appears, notwithstanding all the declamations of those natives and half-castes, who thus lost their undisputed privilege of free printing, did stoop then and there, to give Mr. Adam's edicts that force of formal law which, theretofore, had been wanting to make the crushing of the press, and ruin of its laborious and honest conductors, effectual. And this is not mere empty threat for an editor: Mr. Fair has just been transported without trial, by Governor Elphinstone, at the instigation of Mr. Justice Chambers, for *supposed* reflections on his judicial conduct.

In this state is the press in India, and this illegal and un-English edict, we blush to speak it, has subsequently been solemnly confirmed, as being *not* contrary to English law, by a picked Privy Council, sitting under the sanction of an oath, as a *judicial*, not a *political* board. How far it merited that character, may be guessed by the fact, that of sixteen members present, four were cabinet ministers, including the President of the Board of Control, who had already prejudged and approved the case; four members of the same Board, the two Crown lawyers, the Chancellor, Deputy Gifford, the three Chief Justices, a Civilian, and a retired Indian Judge, who had formerly submitted to the shelter of protection against scrutiny.

In fact, all experience and history are against the assertion, that misrepresentation of the acts of a truly honest and good government ever succeeded in alienating the affections of the people, where the press was free. No exhortations ever persuaded a well-governed nation to rebel against their benefactors, their virtuous and intelligent rulers. And we cannot consent that the evidence of all time should be forgotten, or set aside, to please the fears, the passions, or the corrupt purposes of the privileged few.

Nothing, therefore, can be more groundless than these apprehensions of general insurrection, while our government is only bearably—decently good. The Mahomedans are too few, too weak, to overthrow us if they would—the Hindoos have no motive to attempt it, if they could. Our natural alliance is with the immense numerical majority of conquered, against the minority of more energetic men who have before subdued the Hindoos, and who would be their masters still, but that we have conquered *them*. There have, indeed, been dreadful provincial revolts even against us, like that of Cuttack; but these originate in atrocious oppression, and proconsular misrule, as subsequent inquiry has proved. It is, indeed, strange, that such causes do not more frequently produce similar effects. For one instance of the breaking out of resistance against intolerable despotism, a thousand might be quoted of patient, silent, submissiveness and endurance. When, however, such insurrections do occur, they are terrible, fierce, and desperate, not only from the barbarous condition of the poor wretches whom sufferings madden to despair, but because the Government, by its self-denying ordinances against the press, shutting its eyes and ears to the best sources of information, is never apprized of impending danger, and enabled to correct errors or punish crimes, or even to prepare for battle by previous precautionary arrangement. Its means

of information are the tainted sources of the oppressors themselves. These "regular channels" may either mystify, conceal, or delude, their masters, or are themselves in darkness and ignorance, created by *their* subordinate and interested regular channels and functionaries. A free press might throw light on every part of the field of inquiry; but "they love darkness rather than light."

Unless, however, the expressions of interest in the happiness of India be a hollow, heartless, mockery and insult, the Indian Government *must* be made amenable to public opinion; the *CIVIL BODY must* be compelled to do their duty to those they govern, and there is no other efficient compulsion in India or anywhere else than the control of popular reprobation for misdoings. They must be deterred from evil themselves, and must cause their millions of native underlings, the petty officers of justice, police, *revenue*, customs, trading and manufacturing monopolies, &c. to abstain from pillaging the timid and helpless peasants under the cloak, real or assumed, of their masters' authority. Nay, more, the government, whose plenary and despotic influence spreads through all the provinces, must be taught to invite the comments and animadversions of that part of its subjects who are able to benefit and improve it by these strictures. An honest Governor ought not to complain: he ought rather to rejoice in and to profit by the commentaries of his dependents, who can only *animadvert*; for all *power* of reforming or changing is vested in the governors conjointly with two or three councillors from the civil body, who, with the state secretaries and heads of departments, engross all substantial influence. In truth, the secret is here. It is the apprehension that a free press would penetrate into the dark places of corruption; that it would unveil the abominations and mysteries of patronage and power; that it would expose that dishonest policy which makes the well-being of thousands subservient to the enrichment of a few; it is the dread of censure; the desire of concealment; the weakness of self-conviction, that shrink from the scrutiny of the public eye. Danger, indeed! There is danger in giving equal protection to good or bad government; in sheltering oppression; and warding off all attacks from extortion, violence, or injustice, when perpetrated by those in authority. For a time the degradation of the Hindoos may protect us from the re-action of their sufferings on our misdeeds; but a new era is arriving; a new race is growing up in India; the disproportion between the conquerors and the conquered is daily increasing; the half-castes will become, ere long, the natural and intellectual citizens of the east. They will have Indian sympathies blended with European knowledge. Are *they* to be forgotten in our calculations of the future, or is our legislation of that blind and reckless character which thinks nothing of the coming time, and makes no preparation for, and pays no regard to, those inevitable prognostics, which guide the wise and prudent in their plans and purposes?

It may be useful to our readers, as a preparation for what we shall hereafter have to say on colonization and interchange of productions between India and England, that they set themselves in the mean time gravely to ponder the questions which follow.

We ask accordingly—solemnly and soberly do we ask—what must be the condition of India, ruled as it is by a Company *here*, feebly controlled by the Crown; and by a Government *there*, shunning publicity and responsibility? Truth and honesty will confirm the facts which we have embodied in a few questions; and thus embodied, and thus connected, we are persuaded they will make their way to the understandings of the wise, and the sympathies of the good.

What, we ask, must be the condition of any country, WHERE the monopoly of office is vested in a distinct and separate class, into which no native talent can obtain admission, no aptitude found out of its privileged circle can serve for initiation; a circle whose members are responsible to one another alone, the lower functionaries being only dependent on the higher, and succeeding them, in turn, by almost regular gradations; the power under which they act to-day being the power they will wield to-morrow, and which they are not likely to wish should be checked or curtailed?

WHERE every functionary, the judges not excepted, holds office simply during the good pleasure of the Government; where not only office, but rank, fortune, and station, depend on the Government; where there are no nobles, nor landed aristocracy, no universities, no associations, no free courts; where the many have no representatives, no delegates, *no means whatever of addressing the government collectively*, or, in other words, efficaciously?

WHERE to assemble for deliberation or petitioning, without a special permission, is unlawful; where it is unlawful to print or publish, or to possess printing materials, and equally so to make use of any book, which the Government may choose to think obnoxious?

WHERE there are no channels for the safe expression of complaints, no instrument for the redress of grievances; where the courts of justice are dilatory and expensive, frequently situated at many days' journey from the abode of complainants, hemmed in with a thousand forms, and all proceedings encumbered with heavy taxation; how can such means of redress avail the black and starving peasant—how can he contend with delays and corruptions against a white oppressor, rich and powerful?

WHERE the important class of half-castes seem wholly neglected or forgotten, or blended as "natives" with the mass of the black population—removed, at an incalculable distance, from the whites (whose children they are), in spite of talents and attainments frequently of a high order?

WHERE the whole of the native population, whether Mussulmans or Hindoos, are shut out from any but the lowest walks of the public service, the "command of a platoon" being the highest military post, and the most distinguished civil office not more elevated; while strangers unconnected with and unattached to the soil—mere birds of passage—possess and monopolize all power, all influence, all wealth, all dignity, and gathering together all they are able, migrate at the earliest moment to the mother country?

WHERE the ban of perpetual sterility, and a barrier to all agricultural improvement, is laid upon the land by the intolerable tribute exacted from the cultivator; where there is no possession that can be called proprietorship; where the absorption of so much of the produce of the soil by the Government as leaves the barest means of support to the farmer and peasant, deprives them of the motive and the power of bettering their condition?

WHERE the English who conquered, and the Indians who were subdued, are alike shut out from the benefits which the establishment of Europeans, as possessors of land, would necessarily produce to both by the introduction of European wealth, skill, industry, and knowledge; where the insecurity of property and of person (Europeans being liable to instant and arbitrary deportation) interferes with the success of every pursuit?

WHERE the sole possessors of all power are unconnected with the general feelings or general interests of the people, are distinct and divided from the Indian races, come into the country empty-handed, and hurry from it as soon as they are sufficiently loaded with spoil—a country whence wealth is always flowing out, wealth extracted from the miserable to glut the rapacious, but never rolling in ?

WHERE the governed, whatever their caste or colour, have not—no, not one of them, the smallest voice, or portion of a voice, in choosing any one of the numerous functionaries placed over them, whether high or low, white or black, civil or military, medical, legal, or clerical; although even in the sinks of European despotism, the people, under some pretence, or by some usage or habit, have at least the shadow of some popular privileges, some parish, or municipal, or commercial, or collegiate influence ? In Spain itself, as in the Spanish colonies, while under the Spanish yoke, the people's voice was heard in the *Ayantamientos*, *Cabildos*, and *Juntas* : and under the Hindoo institutions of India, the *zemindar*, the village chief, the village watchmen, tradesmen and petty functionaries, but, above all, the village jurors of the *Pauchayet*, appear to have been more or less selected by the votes of their little communities. But now in British India, from the most insignificant of the swarms of venal and miserable natives that wield a constable's staff, or keep the night watch of the streets, up to the highest functionary, ALL are appointed without the knowledge, participation, or consent of *any* of the governed, however respectable from caste, education, or property. In such a state of things, the tree of hope within man (if such a being can be called *man*) is withered. Being wretched to-day, he is indifferent about to-morrow. He begets, as he was begotten, to the inheritance of thankless toil, a toil which produces to him no wealth, and promises to him no amelioration. He approximates to the servile state—a degree only, above the *animal* condition :

WHERE these inhabitants, poor and wretched as they are, pay not only for a costly local government, not only for the charges of wars and the interests of debts incurred without their concurrence and without any benefit to them; not only for the jobs, and pensions, and extravagance of the *secondary* government at the East India House, but for a *third* government, called the Board of Control: so that, in point of fact, this miserable people, in a very imperfect state of civilization; without accumulation of capital, actual or in near prospect; wretchedly housed; all but quite naked; supporting existence on a handful of rice and a pinch of dirty salt; and painfully and primitively scratching the unmanured and never fallow earth, for a yearly harvest; this unfortunate people, to whom we have *not* communicated our arts, our sciences, our capital, our liberal institutions, or scarcely any thing really worth their having, are actually saddled with the intolerable expenses of *three* Governments abroad and at home, cumbrous and costly! ARE THESE THINGS TRUE? If so—OUGHT SUCH THINGS TO BE?

INDICATIONS OF THE OPINIONS ENTERTAINED IN INDIA  
REGARDING MR. BUCKINGHAM.

*To the Editor of the Oriental Herald.*

SIR,—I have observed that the ‘Asiatic Journal,’ and a certain late Sunday paper, (now no more,) are very careful to pick out and circulate here any effusion of malice against you they may find in the Indian Papers, under the control of your enemies; and that these “best public instructors” at the same time carefully abstain from publishing anything that is written in your defence. As far as their power extends they circulate the calumny without the refutation, and suppress entirely what is spoken to your credit by your friends in the East. Delicacy has, no doubt, prevented you from doing yourself justice in this respect; but I hold that your character is too much public property, and too important to the cause of freedom, with which it has been long identified, that for any such scruples you should suffer the hireling advocates of your enemies to create a false impression on the public mind here, as to the opinion entertained of you in India. This is no doubt the object of their garbled extracts of whatever is most maliciously said against you, while the favourable side of the picture is kept by them entirely out of view. As their trade is merely to diffuse the bane, I request your permission to present the antidote. The Calcutta newspaper, called the ‘Weekly Messenger,’ lately contained the following paragraph:—

We have received a Copy of an Engraving of Mr. Buckingham, and though the artist has thought fit to remain in modest concealment, ‘blushing perhaps to find its fame,’ yet it is evidently the work of a practised hand, and is in point of execution a very superior performance. The designs above and below the picture, indicative, the former of the editorial and the latter of the nautical capacity of the original, are, we think, extremely well conceived and beautifully done, while a feeling of melancholy is excited by the view of the reversed anchor, the broken masts, and other signs emblematical of ruined fortunes.

The reason which induced a skilful artist to conceal his name is sufficiently obvious in a country where transportation without trial is suspended over the head of every man who ventures to express sympathy for the victim of persecution. So expressive a manifestation of public regard roused the dark malignity of the Editor of ‘John Bull,’ (the successor of Mr. Greenlaw), who wears a mask like the ancient Friend of Bankes, and is supposed to be no other than the notorious Dr. Bryce himself. This is significantly hinted in the contemporary prints, which express doubts whether the Editor be a ‘black sheep’ or a ‘black shepherd’, but are satisfied that, whatever be the colour of his coat, the sentiments contained in his paper can only proceed from a black heart. His cold-blooded sneers at your misfortunes, of which he was probably a principal cause, and at the sympathy they have ex-

cited in his fellow-citizens, appear to have roused a very strong feeling of indignation in the Calcutta community. In a contemporary paper, the '*Bengal Hurkaru*', now edited, I am told, by one of the Barristers of the Supreme Court, a gentleman whose conduct is highly spoken of in India as a pattern of editorial propriety, I find the following paragraph on the subject :—

We mentioned in our last that the '*Weekly Messenger*' had noticed the Engraving of Mr. Buckingham recently published, and spoken of it in favourable terms. The writer of the article also ventures to say that the emblematical designs above and below the Portrait are well conceived and beautifully done, while a feeling of melancholy is excited by that portion of them which is indicative of ruined fortunes. This unlucky display of sympathy for the unfortunate, calls forth from the Editor of the '*John Bull*,' or the writer of the Editorial articles in it, at least, one of those malignant effusions which have so often graced the pages of that paper, and are evidently the emanations of a heart filled with hatred, envy, and all uncharitableness.

The emblems of ruined fortunes in the engraving of Mr. Buckingham are, he opines, the wrong '*insignia*' by which to excite the wished-for feeling of melancholy; 'for if,' adds this unknown and inimitable moralist and moralizer too, 'if a man will break the tools of his own trade, he deserves less pity, than contempt should he suffer by his folly.' Here we have the essence of JOHN BELL's morality—a specimen of his sublime conception of the mild spirit of Christianity, which inculcates charity to all men. We have only two objections to the [Bull's] doctrine—the one general and the other particular, and applying immediately to the case before us. Our general objection is, that it is equally contrary to Christianity and to humanity to feel only contempt for a man's misfortunes, merely because they are procured by his own folly. Our particular objection to the doctrine that Mr. Buckingham deserves contempt, because his misfortunes were so produced, is, that it is utterly untrue. His misfortunes are produced by an adherence to his principles, and by their bold and steady maintenance, in defiance of the threats or the temptations of power, and at the sacrifice of time, fortune, and prospects. For this, we say, he deserves not contempt, but honour; and for the losses he has incurred by his zealous efforts in the cause he has undertaken to advocate, he merits and has the sympathy of every mind not warped by prejudice or poisoned against him by the overflowing gall of a never-dying hatred.

Had Mr. Buckingham deserted his principles and bowed the knee to Baal, — had he become the ready tool and flatterer of power, the equally ready calumniator of manly independence, he would not now have been abused in the '*John Bull*' for his folly, however he might elsewhere have been condemned for his meanness and hypocrisy; he would not now have been in a condition to excite the sympathy, however much he might then have really merited the contempt, of every manly and honourable mind.

We have praised Mr. Buckingham because we honour him as a man and respect his talents as a writer; we have never sought the road to place and preferment through the devious paths of unprincipled hypocrisy; we have never been the servile flatterers of the men we detest, for the sake of the good things in their gift, nor the secret calumniators of the man we have injured.

These remarks, though transplanted into the *Hurkaru*, appear to proceed originally from a new Calcutta Paper called the '*Columbian Press Gazette*;' a title adopted, if I mistake not, from the name of the Press from which you issued the '*Calcutta Journal*.' The *Genius Loci* seems still to have hovered over the writer as he penned these sentiments which I call upon you to publish, as highly honourable to the spirit of the Indian Press in its present state of thralldom.

For him whom both the pen and the pencil thus strove to honour, in spite of the tyrants' frown, these tokens of respect are in my estimation far more glorious than all the pictures and statues, and massive plate and fulsome addresses, which fawning sycophants have voted to the possessors of power in the East. Though your powerful persecutors have succeeded in crushing your fortunes, and suppressing public opinion among our countrymen and fellow-subjects there, these occasional bursts of feeling, and this clinging to the recollection of the form and features of one who has devoted himself in their cause, proclaim eloquently the existence of that generous spirit of independence, which, though it may be for a while trampled on, will never, I trust, be extinguished in a British community. After having struggled so long against persecution, both in your property and character, which last two judicial decisions have lately vindicated in England, it must be gratifying to your feelings at the moment of this triumph, to find that the manner in which your name is still cherished in the East, affords new trophies of victory over all the combined efforts of your calumniators and oppressors.

London, December 24th.

AN OLD INDIAN.

[We see no sufficient reason to refuse admission in our pages to the Extracts given from the Indian Papers, quoted in the foregoing Letter. We rejoice at any indication of returning freedom of expression in a country where the Reign of Terror has prevented its exercise for so long a period. We have always consoled ourselves with the conviction that *Posterity* would do us justice. If this happen in our own day, however, so much the sweeter will be the reward—ED.]

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#### RECOLLECTIONS OF A LADY SINGING.

HER voice was the heart's music, and she breathed  
 Delicious melody—and most rich notes  
 Were mingled in her song, like wild flowers wreathed,  
 But sweeter than the perfumed gale which floats  
 From spicy Serendip<sup>1</sup> o'er moonlight boats.—  
 All that was exquisite in sound to her  
 Seem'd natural, as to the violet blue  
 Its delicate fragrance, or as that pale hue  
 Is to the spring-cherish'd primrose; but to stir,  
 To breathe, were sacrilege while such sweet song,  
 Like honey-dew upon the enchanted air,  
 Fell tenderly.—Oh! who could listen there,  
 Nor feel as if each note did but prolong  
 The angel music of a happier sphere?

BERNARD WYCLIFFE.

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<sup>1</sup> Ceylon.

SUMMARY OF THE LATEST INTELLIGENCE FROM INDIA AND  
OTHER COUNTRIES OF THE EAST.

BENGAL.

The ship *Ganges*, from Bombay the 31st of August, has brought intelligence from the capital of British India, down to the 4th of that month, which shall be given under its proper head according to the natural order of its date.

Since the close of the second Burmese campaign, the accounts from this quarter of India are more barren of incident than while it was carrying on. During active operations, marches, engagements, and the occupation of towns or stockades, awaken public interest, and keep alive our sympathy with those engaged in the contest. But now that the rains have overtaken them, and shut them up for months in tedious inactivity, their silent struggle with time, sickness, and the inclemency of the seasons, draws little attention. The sufferers themselves have small inducement to descant on hardships attended with no glory, or to alarm their friends with gloomy accounts of a situation from which their escape is yet doubtful. All reflecting men, however, must expect to hear of the same melancholy effects of the climate on the health of our troops as in the former season. Already, indeed, when hardly a month of the rains had passed over their heads, the troops in Arracan had, according to report, suffered far more severely from disease than the ill-fated Rangoon expedition experienced through a whole sickly season. Private letters say (although we are almost afraid to quote a statement so appalling), that in one Native regiment not so much as a single company remained effective. It is even rumoured that the number was reduced to seventeen men! In the midst of this dreadful calamity, the government is said to have interfered with a degree of indiscretion, which, but for their former deeds at Barrackpore, might be called unparalleled. They have ordered that the sepoys who are well, shall not be allowed to attend on those who are sick! But, as the rigid Hindoo must not receive a morsel of food or a drop of water from persons beyond the pale of his faith, or of lower caste than himself, where, in a foreign country, can he find any one but a comrade to assist him in his distress? We will not believe that Lord Amherst and his colleagues have done a thing so insane, unless reason have quite deserted their councils. Whether this is not actually the case, we will not venture to say, while the dark transactions at Barrackpore still remain unjustified and unexplained, though more than twelve months have passed away. To the rest of the world it must seem strange indeed, that, under the British Government, hundreds of men may be cut down in cold blood; yet, not only do the authors of this act remain untried, but they are not called upon by the nation to state why the deed was done! While this Turkish despotism continues to be the favourite system of our Indian rulers, we shall



- continue our efforts to unveil them by means of the Press. The following is an extract of a letter from India which lately came into our hands :

The proceedings of the Court of Inquiry (says the writer) employed to investigate the causes which led to the melancholy and deplorable occurrence at Barrackpore, are not known, and probably never will be known. For my own part, I think the Government are more to blame than any others, and this is the common opinion. The 13th (old 1st battalion, 7th) was ordered round by sea from Cuttack to Chittagong, and refused to obey the order ;—very naturally, and as every man of common sense would have anticipated. They said they would willingly march to Chittagong, although it was the middle of the rains ; but that they did not enlist to go to sea, and they would rather quit the service than embark ; and the Government were of course obliged to give up the point ! What was the natural inference to be drawn from this by the men ? Why, that they could carry any point they chose against the Government. It seems that a brigade of Madras infantry had been serving for some time at Chittagong, along with the Bengal troops. This brigade is said to be better paid than our men. As the sepoys have a great dislike to serving on the hills bordering on our eastern frontier, believing them to be inhabited by demons, and, at the same time, must be put to very great additional expense on account of both food and carriage when employed there, they thought it would be a favourable opportunity to get some addition made to their allowances during the war ; and as the 13th carried their point, by refusing to obey the order for embarkation, it appeared certain that their demands would also be complied with.

This view of the case is much too favourable to the government ; as it does not state the full extent of the necessity which drove the sepoys to claim additional allowances. The truth is, that since the scale of pay for our Native army was fixed, the price of provisions, we are told, has become in many places doubled or tripled. Consequently, what was then a liberal allowance, is now a bare subsistence. In undertaking a march towards the Burman territory at that period, they even laboured under a still greater disadvantage. Carriage cattle could not be procured for money, had their slender pay enabled the sepoys to hire them ; since the government, with a full treasury at its command, had seized on the cattle of the surrounding country by force ; so that the sepoys could neither move (unless they converted themselves into coolies or bullocks), nor, on their scanty allowance of seven or eight rupees per mensem (hardly sixpence a day), support themselves in a country reduced almost to a state of famine. These were the reasons stated at the time to have induced the 47th Native Infantry to decline attempting impossibilities. And does not the reported reduction of another regiment, of the same destination, to seventeen effective men, prove that they judged correctly ? For no effect of climate could have proved so disastrous, unless aggravated by extraordinary privations, arising from the want of proper comforts and conveniences in the field—bedding, cooking utensils, and good provisions, which could not be supplied without an adequate supply of carriage. In a word, the sepoys at Barrackpore, wiser than their commanders, saw that their infatuated taskmasters were driving

them like sheep to the slaughter, into the Burman jungles, merely to perish of want; and, like brave men, they rather chose to die where they were. It is to be remembered, also, that the 47th would have been worse off than those who are now wasting away in the enemy's territory, as it was refused indulgences which the other Native regiments afterwards obtained. The letter we have quoted says, respecting the requests made by the 47th regiment :

There is a report that, among other demands of the corps, two were, that the serjeant-major should be hanged, and Lieutenant-colonel Cartwright dismissed the service! If this is true, there must have been something radically wrong in the internal management of the corps; for nothing but great harshness—nay, injustice, could ever, in my opinion, bring the sepoy to give expression to such sentiments. The Commander-in-Chief showed his opinion of Colonel Cartwright pretty plainly, by posting him immediately to the European regiment. I do not think Government will be in a hurry again to order Bengal sepoy to embark without their own consent, or to make the troops of different establishments serve together, without equalizing their pay.

We shall now give an extract of a private letter on another subject. Although it has been often noticed before in our pages, it is important, to present a true picture of the sentiments of the Indian army :

As to the new military arrangements, the separation of the regiments has given rise to much dissatisfaction, and has been attended with no benefit whatever to the Company. Had they given a colonel to each battalion, and two additional captains, without separating the corps, the alteration would have been received as a very liberal boon by the European officers; but by separating the battalions, the chances of supercession are just doubled, and as every supercession creates a great degree of disgust in the minds of those superseded, the quantity of this feeling is doubled also. The men likewise complain that all their officers have been changed, and that they are put under persons they never saw before, of whom they know nothing. The Company also suffers; formerly, when one battalion was on service and the other was not, the former could be supplied with officers from the latter. This cannot be done now; and it is but too well known that Native troops are of no use on service without their European officers to head them.

One very singular circumstance in the late accounts is, the reiterated contradictions about the intended movements of the Siamese. First, it was apprehended that they meditated an attack on our settlement of Penang, as they were collecting a large force on the opposite coast; then it was said that these forces were destined not against us, but against the Malays. But again, it was stated in a Bombay paper, (of July 6th,) that, according to accounts from Calcutta, "two Native regiments had been ordered for immediate embarkation in the Honourable Company's ships *Hythe* and *Kyd*, to proceed to Penang," for its protection from the attack of the Siamese. Again, the 'Bengal Hurkaru' stated positively, without doubt or qualification—"The Siamese have joined the Burmese, and upwards of one-half of their force is composed of them: a regular concentration

of their forces are expected to take place; but the positive situation is either not yet determined on, or our information is incorrect." The 'Government Gazette,' however, pretends that this is a mistake, arising from the similarity of the words *Siam* and *Shaum*; and, therefore, that it is not the Siamese, but the people of Shaum, who are in league with our enemies. Now, it is difficult to conceive how a Calcutta Editor could mistake Shaum, which lies in the north, for Siam, which is to the south of the Burman empire. Besides, the two ships in which the Native regiments were to embark, could not be destined against Shaum, or they must sail overland. Nor would this new expedition have been thought of, unless the Government had certain information that the Siamese were plotting against us. Consequently, either this is actually the case, or the Government is lamentably deficient in that information which it ought to possess as to the temper and political views of the neighbouring states.

It appears from accounts about the end of June, that dreadful weather had been experienced in the eastern districts of Bengal after the setting in of the rains. In the division of Noacolly alone thousands of lives had been lost, and cattle were also drowned in great numbers.

A Calcutta paper states, that the ship *Britannia*, Captain Mackie, was wrecked on the 4th of January, on the Brille, a dangerous reef in the eastern seas, which does not appear above water, and is not accurately laid down in any chart. The captain, officers, and crew were all saved, with a considerable part of the cargo.

Three-fourths of the Service having notified their assent to the terms of the Civil Fund, the scheme was to be immediately commenced upon.

According to the accounts from Calcutta near the end of July, great scarcity of money prevailed, and the financial difficulties of the Government were every day increasing. As a natural consequence, the exchange with England, then so high as 2s. 1d., was expected to advance materially. The five per cent. loan has met the same fate with the four per cent. formerly attempted: it has not succeeded. And "Treasury notes, (says the 'Globe,') similar to our Exchequer bills, had been issued, bearing an interest of six and a half per cent." Thus, in the space of about half a-year, the Government has been compelled to advance more than one-half in its rate of interest; and if the war continue much longer, it will borrow on much more unfavourable terms, probably at as high a rate as the poor Nuwab of Hyderabad. The Company at home is experiencing the same necessity of advancing its rate of interest, from the pressure on its treasury, occasioned by its ruinous expenditure in India.

Another extract of a private letter, lately received, gives a lively picture of the state of affairs, and the views entertained at the time it was written; but we must observe, that the situation of the troops spoken of in it is now very much altered; and, indeed, more than one half of the fine regiments here enumerated, are before this time, we fear, completely *hors de combat*, through the united effects of fatigue, privation, and a most destructive climate:

" We expect that the whole army, with the exception of a corps left to garrison Rangoon, will proceed to Prome, about 200 miles, where they will concentrate and canton during the rainy season, which commences towards the end of May, and lasts till the end of November. During this period the country, from being low and swampy, is generally under water, and military operations must be suspended until the cold season, when it is believed the combined forces from Bengal and Madras will advance upon Ummerapoorra, the capital of the kingdom of Ava, distant about 500 miles from Rangoon. Ummerapoorra may, perhaps, be in our power by Christmas. The protraction of the campaign will be severely felt at home, as the expenses attendant on carrying it on exceed in magnitude those of any military operations that have taken place in India since the attack on Seringapatam, in 1799.

" The army now in the kingdom of Ava, under the orders of Brigadier-Generals Sir Archibald Campbell and Cotton, consists of the Governor-General's body guard, one troop of European horse artillery, and a European rocket troop from Bengal, about 500 European foot artillery from Madras and Bengal, under Lieutenant-Colonels Hopkinson and Pollock, his Majesty's 13th, 38th, 41st, 45th, 47th, and 89th regiments; 1st Madras European regiment, and the 3d, 7th, 9th, 12th, 18th, 22d, 26th, 28th, 30th, 34th, 38th, and 43d Madras Native infantry. Of these, the 3d are at Martaban, the 7th at Mergui and Tavoy, the 12th at Bassein on the Irrawaddy, and the 18th at Pawlang. The 9th, 34th, and a provisional battalion of 1,000 men under Major Ogilvie, remain to garrison Rangoon, and all the other corps are either in advance or going up immediately. His Majesty's 45th regiment, and the 30th Madras Native infantry, march in a few days, as soon as the Commissariat can collect a sufficient number of carts to transport the arrack and provisions. Besides the force already named, Brigadier-Generals Morrison and M'Bean have advanced upon Arracan with his Majesty's 44th and 94th regiments, about 300 European artillery, the 10th and 16th regiments of Madras Native infantry, and five Bengal Native regiments. This force, after the capture of Arracan, will move upon Prome, and join Sir Archibald Campbell. Brigadier-General M'Kellar has advanced to Chittagong with about 4000 men; and Brigadier-Generals Shuldham, Donkin, and Richards, are penetrating, by Syllhet and Rungpoor, in the direction of the capital.

" I should suppose, if the King of Ava persists in protracting the war, about 30,000 men will be before his capital in December, when all our divisions concentrate.

" You may judge of the expense of carrying on the war by one or two articles. The transport service has had from 70 to 100 ships employed in conveying troops, stores, provisions, &c., from the beginning of March 1824. The *Fort William*, the largest transport, is hired at 25,000 rupees per month, so that this month she is entitled to three lacs of rupees. The smallest sized vessels are about 300 tons, and receive about 6000 rupees per month. The other great

article of expense is provisioning the Europeans, the country being a complete desert, and till very lately abandoned by the inhabitants, a few of whom, but in scanty numbers, are now beginning to return. The Commissariat have been obliged to feed the whole army, cattle, &c., attached to it, with the provisions they require, by means of sea conveyance. For a long time the troops were fed on salt meat; but the scurvy broke out amongst them so dreadfully, that the medical officers declared, unless fresh provisions and vegetables, with wine and beer, could be procured, the European part of the army would, in a few months more, be annihilated. In consequence of this, a contract was entered into at Calcutta to supply the army with beef, which will yield an immense fortune to the contractor. The average slaughter of bullocks is about twenty per day. Hay for the cavalry horses, and grain for them and the draught cattle, as well as rice for the Native army, are also sent by sea."

MORE "PEACE, HARMONY, AND GOOD ORDER OF SOCIETY," IN  
CALCUTTA.

We have this month to record another, in addition to the many proofs before given, of the tranquillizing effects of the Company's muzzled press. Within one year, or little more, it has given rise to no less than five or six of those amicable communications which usually terminate in what are called "affairs of honor." Though the six previous disputes went off without an actual meeting, the seventh (that sacred number) has not proved a mere flash in the pan. In this affair we see more distinctly than ever the cloven foot of that pious peacemaker Dr. Bryce, really the secret cause of these broils, who is engaged six days of the week editing a newspaper which scatters firebrands in society, and on the seventh mounts the pulpit in the sacred garb of a minister of that Gospel which breathes only charity and good-will among men. During his presence in Calcutta a perpetual ferment has been kept up in the community; yet while others are proscribed and banished innocently, he continues to be rewarded with a pension from the Government, in despite of the disapproval of his own church and of the highest authorities in England. We copy the following verbatim, as quoted by a London paper from the 'Glasgow Courier':

A ridiculous dispute is detailed in the Calcutta papers. The editor of the Calcutta 'John Bull' had applied unpalatable epithets to the editor of the Bengal 'Hurkaru.' The latter, in the belief that the Rev. Dr. Bryce was the author, applied by a polite letter, beginning, "My dear Bryce," to know who the editor was. "My dear Bryce" was equally complaisant, and after saying "My dear Dickens," declined to communicate the name of the editor; but confessed that he himself saw every article which appeared in the 'John Bull,' and that his brother-in-law, Mr. Meiklejohn, was a partner and managing proprietor. This Meiklejohn was, after some delay, called out by "My dear Dickens," and after he fired his first shot, Mr. Dickens discharged his pistol in the air, on the

ground that Mr. Meiklejohn was not the author; and so the affair terminated. Mr. Dickens says that he looks upon "My dear Bryce" as the author, and regards it "as another attempt to thrust forward his brother-in-law to risk his life in a quarrel not his own." So much for "My dear Bryce" and "My dear Dickens."

CENTRAL INDIA.

Our readers are doubtless anxious to learn what is the state of affairs in Central India, which have lately assumed so alarming an aspect. We are indeed surprised that at the late General Court of Proprietors no one thought of asking the Directors for information on this momentous subject. But, indeed, the Burmese war is itself enough to engross the public attention so completely, as to leave little room to think of other calamities which threaten our Indian Empire. From a Cape paper, the 23d of September last, we extract the following:

We have been favoured with the sight of a letter from Madras, dated July 16th, brought by the way of the Isle of France. It contains the following paragraph:—"The war on the other side [of India] is going on rapidly. Runjeet Sing, near Bhurtpoor, has 80,000 men in the field, with 150 pieces of cannon."

Here are the precious fruits of Lord Amherst's temporising policy with a refractory state, which has offered so gross an insult to the British arms in a period of danger, and is yet suffered to exist as a nucleus of disaffection. Poor Sir David Ochterlony who, if suffered to follow the dictates of his own political and military genius, would have saved us from this new disgrace, is said to have not long survived it. He is stated to have died at Meerut, on the 14th July. The 'Bombay Gazette,' speaking of him, says: "As a public character, we are not aware of his parallel in the annals of British India. During a most active service of forty-seven years in the double capacity of statesman and soldier, his unremitted exertions and unerring judgment contributed largely to the stability of Government and prosperity of the country."

According to accounts from other quarters, the political horizon in our north-west frontier is also assuming a dark and threatening aspect. The 'Bombay Courier' of the 18th of June, states, "that the Scindians were collecting a large force, which, it was rumoured, were destined for Cutch." This, from the official Gazette of the Government, is no slight intimation. It tries of course to throw some doubt on intelligence so very disagreeable at the present time; but if really discredited by the official organ, it would have been positively denied or not mentioned at all. Those who cannot with conscience deny a disagreeable fact, have often recourse to the poor evasion of reasoning against its probability. So the 'Gazette' of the Bombay Government says:

The Government of Scind, from the peculiarity of its structure, and the character of those over whom it rules, is perhaps one of the weakest in Asia, and we do not think it would risk a quarrel with any of its neighbours. The power of the state divided among the different Amceers must

want consolidation, strength, and unity of action, while the only troops they can bring into the field are the unruly tribes of Bilochistan, whom it would be impossible to keep together for any time, and who are said not to have any great liking to their present niggardly rulers, whose only object, since their accession to power, has been to amass money, in the pursuit of which, we believe, they have been remarkably successful. The Ameers must also feel not a little suspicious of their powerful neighbour, Runjeet Sing, who has been making encroachments on their northern frontier, and who is said to cast a longing look to the immense treasures they have amassed during the last thirty years. We may therefore safely predict, that no more laurels will be reaped for the present by our troops to the northward.

This prediction rests, it appears to us, on very insufficient grounds. In no country of Europe is power so much divided as in Great Britain itself, yet no nation has greater unity of effort in making war. Nor has the sort of feudal constitution which exists in Scind ever been supposed, or found to be, at all unwarlike. But the Ameers are said to be unpopular from their niggardly disposition to amass money! Will the people, therefore, throw themselves into the arms of the Company, which exacts from its subjects nine-tenths of the net produce of the soil as revenue? As to Runjeet Sing, if a grand attack is meditated against us, (and unless this were the case, can we suppose that minor states would dare to insult us in our present distress?) that distinguished Chieftian will undoubtedly be the prime mover among our enemies. Indeed, if the letter from Madras is to be believed, Runjeet Sing is already in the field; for since the death of the late Rajah of Bhurtpoor, we know of no other prince of that name.

#### PROGRESS OF THE BURMESE WAR.

Though the main body of our troops under Sir A. Campbell remains inactive at Prome, there are some minor operations, which deserve to be noted. Lieutenant Pemberton, detached from the Sylhet frontier and escorted by the troops of Rajah Gumbeer Sing across these marshes and jungles which had baffled our forces, reached the capital of Munnepoor on the 12th of June, and took possession of the stockade which had been evacuated by the Burmese the preceding day. The practicability of supporting an army in such a country, where the roads are impassable, may be judged of from the following extract: "From the 4th of June till the day they entered the town (the 12th) the party never had more than a very scanty supply of bad rice, obtained from the Nagahs at the rate of two seers and a-half for the rupee! Even at this exorbitant rate the people could hardly be induced to supply them." It was intended to return immediately to Sylhet, after procuring some information respecting the roads and nature of the country, probably with the view of using it in another campaign. The Burmese are said to have had a very slender force at this place, not more than five or six hundred men, which is probably quite a sufficient number for so miserable a country.

The reconnoitering parties employed by General Campbell report the interior of the country around Prome to be very inferior to the

districts already known along the banks of the Irrawaddy. The villages, or rather hamlets, are said to be small, and of the most wretched appearance. The Burmese troops, also, wherever they appeared, had carried desolation in their track, leaving nothing to the invaders but an unpeopled waste. "Language, it is observed, cannot describe the ruinous effects of this desolating system; neither man nor beast escaped its depredation, and heaps of ashes alone indicated where villages had been. At one village, four miles on the Prome side of the Meady, the remains of an extensive iron-foundry were met with; ore also in small quantities was lying about, and several large tubes, perhaps for casting cannon, attracted particular notice, and the fact that the Burmese did make guns was very generally asserted by the best informed natives of the country." The following extract from the Calcutta "John Bull" is very expressive of the strong anxiety felt to get out of this ruinous war, a feeling which even the most devoted partisans and adulators of Government can no longer suppress.

A great number of letters from Prome have arrived, extending to the 8th of June; [that is, about six weeks after the capture of this place] they all concur that no operations of importance are either going on, or contemplated, and they are filled moreover with expressions of *surprise* that the advances of the Burmese towards negotiation should be *so slow*."

Lord Amherst now finds, to his sad experience, that though it was easy to rush into hostilities without consulting even the Commander-in-chief, another party must be consulted, and their consent obtained, before he can bring them to a close. The accounts from Arracan are the most discouraging of all. A letter, dated the 21st of June, quoted by the India Gazette, says, "The troops are unhealthily beyond what we could have reasonably dreaded at this early period of the season, and cholera (a mild form of it they say) has shown itself in some corps to a considerable extent; instead of twenty, read sixteen hundred, or two thousand sick in camp! One *whole corps*, I understand, is removed into hospital! Before next season I should think they would require a *fresh army*! A great many of the officers are now laid up with fevers of a very obstinate description."

It is added in the same paper, that, "Complaints prevail at Arracan of a want sufficiently felt everywhere, particularly now in Calcutta—want of cash. The Commissariat, it is said, furnish wheat to the Sepoys at fifteen seers the rupee, while from officers who, comparatively, are not better paid, a rupee for seven seers is exacted." This proves the justice of another of the demands attributed to the slaughtered forty-seventh Native Infantry, which is said to have related to the supply of provisions at a rate within the compass of their means. This too is granted of necessity to their comrades, or otherwise it is plain their pay would not half suffice for their subsistence.

As to the health of the troops in Arracan, the Bombay Gazette of July 6th states that, "One of the regiments (which is said not to be more unfortunate than others) has been reduced by sickness and death from 1200 strong to 350, while most of those who are not yet in hospitals are miserably reduced in bodily strength and appearance.



The forty-ninth is said to have little better than two companies of effective men."

Some accounts say that the warriors of the Burmese nation and the remains of Bundoolah's army have determined to rally round the capital, and either defend it, or bury themselves under the walls of Ummrapoora. Whatever may be their resolution in this respect, all accounts agree that they show no disposition to come to terms. If they persevere in this system of holding off, and leaving us no resources in the country, it is evident they will soon baffle all the efforts of their invaders. In fact, Lord Amherst would long ago have sounded a retreat, if he could retire from the contest without disgrace and ignominy. Already the sinews of war are relaxed with the extraordinary exertion: money is becoming scarce, and if the Bhurtpoorians succeed in extending a refractory spirit among our subjects in our central provinces, the financial difficulties may soon be most alarming.

A farther proof that there is something "rotten in the state" presents itself in the following fact, stated in the *Globe*, on the authority of letters from Calcutta of the 16th July:

The English armies were in winter quarters, and very unhealthy. Violent disputes are said to have taken place among the officers of Sir Archibald Campbell's division; to such a height had they arrived, that the resignation of Sir A. Campbell was publicly talked of.

Commodore Hayes is said to have found a new passage into the main river of Irrawaddy, which will considerably facilitate the water communication with the troops at Prome.

The latest accounts, received by the *Ganges*, entirely contradict the supposition that the Burmese force was completely broken by the death of General Bundoolah, and capture of Donabew and Prome. Letters from our camp at the latter place, dated the 6th July, state, that reports prevailed there of a very alarming nature, if true, viz. that an army of 90,000 men was approaching under the king's brother; consisting of 60,000 real Burmese, 20,000 Chinese, 10,000 Shans, (qu. Shamese,) with 600 guns, and 50,000 muskets. Though no serious credit was attached to this as regards the strength and numerical amount of the force, "no doubt was entertained (says the writer) of the Burmese Chief's ability to annoy our army during the rains, and cut off our supplies and communication, or at least interrupt them." That is, in effect, *no doubt* was entertained of their power to cut off our army at Prome! For when the supplies are interrupted, an attempt to retreat in the midst of the rains would crown this disastrous war with the consummation of ruin and disgrace. The same account says, that a skirmish had taken place between a party of our troops and about 400 (qu. 4000) of the enemy, who had seven gilt chhattahs (commanders of 500 men) with them.

According to letters from Prome of a late date, (July 23d,) great apprehensions were entertained that the sickness, which had appeared to a considerable extent, would become more general. The nearest point at which the enemy were in any force, and that inconsiderable, was Shembeunghenn; but they were supposed to be entrenching them-

selves strongly at the capital. "It is added, with great show of reason," that if Amerapoora be like Prome, and if the Burmese continue to pursue the same system of defensive warfare, they have hitherto followed, "no advantage of any importance (and no prize money) can follow from the occupation of the capital." This was predicted here some months ago in the pamphlet of Col. Stewart. It is further mentioned, that the arrival of the Arracan gunboats had relieved the army from some apprehensions which they began already to entertain as to the supply of provisions. An attempt to open a passage from Prome to Arracan had failed, the roads being impassable for cattle, and almost for any thing else. The Burmese force at Shem-beunghenn is said to be the relics of the forces defeated by General Morrison in Arracan, and they seem to have taken up a position in the rear of Sir Archibald Campbell, to cut off his supplies. Not having the map beside us, we speak from general recollection, and may be mistaken in this alarming conclusion. The last sentence of this intelligence is, that the Court of Ava has not shown "the slightest disposition towards any overtures of peace."

## MADRAS.

We have been supplied with no private intelligence by any recent communications from our friends at this presidency, and the only information which the late public papers have supplied to the English public is a solitary paragraph, which we shall therefore give entire, as a precious memorial of the value of a fettered press.

A friend at Arracan informs us that he has caught a moth, which measures from the tip of one wing to the tip of the other *ten inches*. Both wings are beautifully variegated with the brightest colours. Unless we are mistaken, this is the largest moth upon record, exceeding in dimensions the largest in the British Museum, which, we believe, measures about *nine inches* from tip to tip.

This was quoted from a Madras paper of July 26th by the Editor of the *Globe*, who after travelling over his Madras files, seems to have lighted upon it like an oasis in the desert. In the public prints of that well-regulated community (under the Ruler according to the Company's own heart) the millions of human beings under British sway occupy less of the public notice than a Burmese moth!

## BOMBAY.

Our attention has been again specially directed to the important and inexhaustible subject of the disputes between the Bench, the Bar, and the Press, at this Presidency. We find that, notwithstanding all the pains we may take to form and lay before our readers a correct view of this complicated affair, we are still called upon by one party or another to correct some alleged misrepresentation, to which, however minute or fanciful, great importance is attached. We, therefore, feel it necessary to say, that where conflicting parties have come to such a pitch of violence, that they have offered to contradict each other on oath in the open Court at Bombay, as to things which

happened in the presence of each other, it is not to be expected that we, placed at the distance of many thousand miles, should be prepared to split hairs with them upon the subject. In one instance, Mr. Shaw, a civil servant, after signing a deposition which he had made, and which had been read over to him before he appended his signature, denied that it contained his real statements, and accused Mr. Woodhouse, who took it down, of having made him say quite the reverse of what he did. (See *Oriental Herald*, Vol. IV. p. 193.) Again, Sir Charles Chambers, on reading a report of the proceedings that had taken place in his Court, published in the '*Bombay Gazette*,' declared it to be "a gross misrepresentation, putting words into his mouth contrary to the principles of English law, and which no lawyer would venture to utter;" and while this was under the consideration of the Government, the same paper published another report, considered by the Court similarly objectionable. The Editor, when called upon to atone by apology for this offence, (*Oriental Herald*, Vol. IV. p. 575,) offered "to substantiate, by the evidence of a number of respectable and credible persons, who were present on the occasion, that his report of the proceedings was as *fair* and correct as could possibly be where every word spoken was not taken down;" and that instead of the Judges having any ground of complaint, his representation was "decidedly favourable to the general character of the Court." That is, he offered to convict the Judges in their own Court, of either being so stupid and infatuated as not to know what they themselves had said, or so unprincipled as to have told an untruth in pretending that their words were misrepresented when they were not. After this, can we expect that our veracity shall stand unimpeached by the legal gentlemen of Bombay? Leaving the public to judge of the importance due to an accusation from such a quarter, we shall here introduce an explanation of their transactions which is yet new in England, although it was current in India more than twelve months ago, and is, we must say, not inconsistent with what has since transpired.

During the ferment of the opposition against the Judges, on account of the protection they extended to the Native suitors against the grasping retainers of the Court, the barristers knowing how powerful an instrument the press was, lent their aid, it is said, in getting up the published reports of their proceedings. In the struggle between the dignity and pretensions of the bench and the bar, the latter had thus the same advantage as the painter of the fight between the man and the tiger. Without accusing the barristers of any wish to falsify the proceedings, party spirit would we think unavoidably give their reports a partial colouring; and, indeed, a degree of distortion in proportion to the animosity and personal interest which entered into their composition. The paper of their friend Mr. Warden, Member of Council, was chosen as the instrument of this warfare; and it is probable the Editor took no more interest in it than might arise from deference to the wishes of a proprietor so exalted, and confidence in the intelligence furnished him by the gentlemen of the long robe.

It is also said in India, that when the Editor was called upon to apologise to the Court for the misrepresentations of its proceedings, he was advised by the same gentlemen not to do so, as they were willing to swear that the reports were correct. Hence the above proposal to substantiate them by evidence, which was a manoeuvre of the bar to find a new opportunity to throw obloquy upon the bench. We need not conjecture how far they relied on their condjutor, Mr. Warden, the part proprietor, to assist in carrying through the Council a measure which would really have covered the Court with disgrace. We shall believe in the foregoing version of the matter, unless we receive a distinct negative to the following facts. 1st, That the Advocate-General, Mr. Norton, or other opposition-members of the Court of Bombay, had a hand in getting up the offensive reports published in the 'Gazette.' 2d, That it was one or other of them so concerned who advised the Editor to resist all confession of error, and offer to convict the Judges of being wrong. 3d, That this was meant to be done by the evidence of the barristers or their partisans. These are our interrogatories, which, unless distinctly negatived, we shall take to express facts.

We shall now answer some queries put to us on the subject; the first of which is, on what authority did we take upon us to state, in our last Number, that the 'Bombay Gazette' was "guilty of a systematic misrepresentation of the Court?" We answer, on the authority of private letters from Bombay, "on which we could rely," referred to in Mr. Warden's manifesto; also, on the authority of the Judges themselves, who declared that their proceedings had been repeatedly misrepresented in the 'Gazette.' Now we know no higher authority than the Supreme Court at Bombay as to a fact coming within its own cognizance. Although the opinion of the Judges did not assume the legal form of a verdict, its moral weight is not a whit less; since in this matter they were both Judges and witnesses, as it lay wholly within the compass of their own observation.

We are next required to state our authority for saying that, "We must suppose, however, that the 'Bombay Gazette' would have gone greater lengths still but for Mr. Warden's caution and advice;" for he states, that he "repeatedly enjoined the most rigid observance of the regulations," and that "his influence was directed to the suppression of publications that would have been offensive to the Supreme Court." This is merely our inference made on the authority of common sense; if it be erroneous the world will perceive its folly. But, in the words of Junius, an error in judgment is no breach of veracity. We are told that there were three other papers published weekly at Bombay, and that, therefore, Mr. Warden's mention of coercive measures towards the press might have applied to them. Now we are not aware that the other papers had, in fact, any disposition to offend the Court; and as Mr. Warden's statement referred to his connexion with the 'Gazette,' we could not imagine that it referred to any thing else. But if it did, this would prove that Mr. Warden was a most partial ruler of the press; for he refused a degree of license to

other papers which he granted to his own! We are also told that Mr. Warden was only one of four proprietors, and not sole owner of the 'Gazette'; but we do not see any thing in this fact, unless his co-proprietors had an interest and influence paramount to his own, which we cannot conceive, unless there had been among them other members of the Council, or the Governor himself.

We need hardly say that we can have no wish to injure the late Editor of that paper, who has been a sufferer like ourselves. We said in our last Number, and now repeat it, that Mr. Warden's statement exculpates him of any personal feeling against the Court, and tends strongly to prove that the hostility of the 'Gazette' proceeded from a totally different quarter. Mr. Fair, therefore, seems to have unfortunately placed himself in a situation to become responsible for the offences of others. This we take to be "the head and front of his offending."

We have, indeed, gone farther in his defence than others have been inclined to do. We have declared that the Judges, though really aggrieved, were blameable for becoming parties to a despotic exercise of authority on the part of the Government; yet we are aware that there are reasons which might be urged in their defence. As the whole press was under the control of the Government, no part of it was free to take up the defence of the Court. Its character and dignity could not be supported in the eyes of the public by merely punishing those who insulted it, by a sort of despotic exercise of its authority, as for contempt or libel. This would have covered it with odium, instead of clearing its character in public estimation, which could only be done by means of another portion of the press taking up its defence. But the person who ventured to do this might have been immediately transported by the Government, as happened in Calcutta. There, when Dr. Bryce had grossly insulted the Court, Sir Anthony Buller, it is said, was entirely at a loss what course to take to vindicate his judicial character. Some advised him to publish a refutation of the reverend divine's calumnies. But it would evidently have been derogatory to a Judge to enter the lists with such a scribbler. In this dilemma, the defence of the Judge was undertaken by the 'Calcutta Journal,' and it was so complete that the worthy Judge felt satisfied nothing more was necessary. But instantly the Government stepped in and banished Mr. Arnot, because he was connected with the paper which published the defence,—an awful warning to all who take up the cause of the King's Judges in India! With such a fact before their eyes, what were the Judges at Bombay to do when they found the press, under the control of the members of Government, employed to bring the Court into hatred and contempt? Were they to advise some unfortunate Editor to take up the defence of the Court and get himself banished for his pains? Were they to tempt an innocent man to sacrifice himself in a vain attempt to support their cause? How short-lived and hopeless would such a contest have been! Indeed we do not see how these conflicting authorities can subsist together without one or other suffering. When Mr. Elphinstone said, that "nothing was ever

free, or intended to be so, in India," it is plain he wished his Majesty's Supreme Court blotted out from his dominions. For where an English Court of law exists, and trial by jury, there must be some degree of liberty. But we have seen that it is impossible they can enjoy a healthy existence, in an atmosphere tainted with despotism, and under the blasting influence of a press which is the slave of arbitrary power. ●

We shall subjoin some specimens of the way in which the Bombay press is used at present. The 'Courier' of June the 18th, says: "It is stated that the Rajah of Colapore was so *sincerely* rejoiced on the hearing of our success at Donabew, that he ordered a royal salute to be fired" The word "*sincerely*" is printed in italics, as above, to show that it is used in irony. Now we must say, that whether the compliment paid to the success of our arms was sincere or not, it ill becomes the official organ of the Bombay Government to make so very uncourteous a return. It is neither just nor politic in Mr. Elphinstone to meet such demonstrations of friendship from the Native princes with sneering insinuations circulated all over India, to show the whole world that he believes them to be faithless and hypocritical. Mr. Warden, the censor or controller of the press, will not surely adduce this as a proof that he has been "trained to official discipline."

We shall add another example of the manner in which these immaculate gentlemen, who cry out so loudly against the strictures of the press on their own conduct, employ this instrument against others who have not the power of defending themselves. The following General Orders, dated Bombay Castle, March 31st, were printed in the Official Gazette of this Presidency.

*By the Honourable the Governor in Council.*—No. 113 of 1825.—Sub Assistant Surgeon John Durham employed in the Ophthalmic Infirmary, having rendered himself totally unfit for the discharge of his duties, by habits of irreclaimable intemperance, the Honourable the Governor in Council is pleased to dismiss him from the service.

No. 114 of 1825.—Subedar Major Bowagee Israel, and Jemadar Shaik Ebrahim, of the 15th Regiment Native Infantry, and Subedar Abramjee Israel of the 17th Regiment, N. I., having become unfitted from habits of intemperance for the due discharge of their duties, it has been found necessary to remove them from the respective Regiments to which they belong. In consequence, however, of *the length of service and former good character* and conduct of the two first, Subedar Major Bowagee Israel, and Jemadar Shaik Ebrahim, the Governor in Council is pleased to transfer them to the Pension List, the former on a reduced pension of 54 rupees and a half instead of 67 rupees, and the latter on half the usual pension of his rank.

Subedar Abramjee Israel *having only served 22 years*, and his character and conduct represented as highly culpable, the Honourable the Governor in Council places him on the List on half the full pension of a Jemadar only.

What would be thought of such exhibitions of *European* officers who compose the Invalid and Pension Lists in India? or of officers of the army and navy of Great Britain, who, after long and meri-

torious services, are unfortunately placed in such circumstances? Their friends and acquaintances see them merely transferred to the pension or invalid establishment, which, to the unexperienced eye, looks more like a mark of favour than otherwise. But Native officers of our Indian army, and sub-assistant surgeons *born in that country* (as we have no doubt is the case with the above John Durham), instead of having a veil thus thrown over their failings, are publicly branded with them in the Government Gazette. Such are the advantages of the Press to the Natives of India! There is no mention of a Court Martial or any kind of trial having been afforded them.

While on the subject of the press, we may state, that the Government of this Presidency has, with the sanction of the Supreme Court, on the 9th of June last, promulgated a new "Rule, Ordinance, and Regulation, for preventing the mischief arising from the printing and publishing of newspapers, and periodical and other books and papers, by persons unknown." It was passed in the Bombay Council on the 2d day of March, and registered in the Supreme Court on the 11th of that month. Though prodigiously long, and, from its introduction, awfully portentous to the freedom of discussion, it turns out to be a very harmless thing. Indeed it is not to be supposed that the Judges at this Presidency, after the experience they have had of the effects of existing despotism, would prostitute their high office as other Indian Judges have done, to arm the Government with powers still more subversive of all law and justice. The main provisions of this regulation are, that the printers and publishers of every periodical shall make affidavit that they are so, before the Chief Secretary of Government, specifying their own names and designations, with the title of the work and place of publication; a penalty of 1000 rupees to be incurred for every act of publication without having previously made such affidavit. The affidavits to be received as evidence in a court of law against the parties, if prosecuted for libel. The names of the printers and publishers to be inserted in every paper. A copy of every such publication to be left with the Chief Secretary, he paying for the same. Every person having in his possession any types, or other printing materials, shall give notice of the same to the Chief Secretary, under the penalty of 400 rupees. Any person who assists in dispersing anonymous papers, to forfeit four hundred rupees. Lastly, every person who shall print a book or paper, not intended to be periodical, must preserve a copy of it for six months, with the name of his or her employer written or printed on it; and also his or her place of abode, under the aforesaid penalty.

We are quite at a loss to conjecture the cause of this excessive precaution against anonymous publications; but we suspect that Mr. Warden's manifesto, inserted in our last Number, and which purported to be a copy of a printed paper, without making any mention of the name of any printer or publisher, must have been an infraction of this law. If so, a fine of four hundred rupees may help to train him a little better into "the habits of official discipline." The obligation on every printer (including, for aught we know, composi-

tors and pressmen,) to preserve a copy of every work on which they are employed, must be a very heavy tax on printing.

We sometime ago recorded an instance of the liberality of the Madras Government in encouraging the study of the Native languages; the weighty sum of fifty pounds (we believe) having been awarded to an officer for the important services he was enabled to render to the state, from his having attained a proficiency in the Persian. The Bombay Government has improved upon this; and offers thirty rupees per mensem for six months to each officer who shall pass an examination in the Hindoostanee or Marhatta languages; and double that amount for both; that is to say, the sum of 18*l.* sterling for acquiring a knowledge of a foreign tongue; hardly enough to pay a moonshee's salary, to say nothing of the cost of books necessary for the study.

The *Mary Ann*, Captain Lingard, under British colours, was cut off by the Natives at Burburry, on the Abyssinian coast, in April last, and all her crew killed but the captain and chief officer, who reached Mocha in safety.

#### CAPE OF GOOD HOPE.

At last the *Enterprise* steam vessel is reported to have arrived at this station, after a passage of fifty-five days from England. This being hardly at all quicker than fast sailing vessels, the experiment may be considered, as regards time, to have completely failed; but the fact of her safe arrival is in itself highly interesting, as showing what distant and dangerous voyages may be accomplished by steam: and if intermediate depôts for fuel can be hereafter established, the voyage by steam may be made much more rapidly by a continued supply of that indispensable article.

No information of a very particular nature has reached us from the Cape since our last, except a letter, which states that Lord Amherst is not coming to England in the *Ariadne*, as had once been intended. How much longer he intends to give the colony the blessing of his continued presence is not accurately known.

#### NEW SOUTH WALES.

Every vessel brings fresh proofs of the rapid advancement of this interesting portion of the British empire in the Southern hemisphere.

The Bank Establishment of Van Diemen's Land is said to be in a tolerably flourishing condition. On balancing the accounts at the end of the year, which was the first since its institution, it was found that the receipts were fully equal to the expenditure. No dividend was made. Instalments have been advanced, amounting to half the capital; and the discounts effected average 1200*l.* weekly.

The *Mermaid* has taken a cargo of wheat to Van Diemen's Land! The *Nereus* is bringing a cargo of wheat from Van Diemen's Land! The *Mermaid* is chartered by Government. The *Nereus* belongs to a merchant!!!

This country seems to possess inexhaustible treasures, which are gradually becoming known, and rewarding the persevering diligence and research of the scientific. An important mineralogical discovery has



recently been made of great value to the Colony. The particulars of it we hope soon to be enabled to record.

The present prices of tea, at Hobart Town, are 15*l.* per chest, for hyson; 12*l.* for hyson skin; and 10*l.* for black.

An offer was made recently of 4500*l.*, by certain merchants of Hobart Town, for 500 chests of tea—the offer was refused. The tea is now in the Sydney market.

Capt. Mitchell has been acquitted of any unlawful procedure in carrying off the *Almorah* from Sydney; and the warrant by which he was to have been detained has been pronounced illegal by the Supreme Court there.

The following extract from a letter written by a resident in New South Wales to Mr. Peel, represents the prosperous state of that colony:

The extent to which reform has been effected among the convicts heretofore sent to New South Wales, is not, I believe, generally, or, indeed, at all known; I shall therefore just give a sketch of it. The number of persons transported to New South Wales from its first establishment, in 1788, to the end of 1815, was 13,801 men, and 3,265 women; together 17,066; of those 6067 became free by pardon and service, 1638 held tickets of leave, 3813 still continued convicts, and the remainder 5198 had died. Those who had become free with their children, who had come to maturity, formed, in the year 1821, 3478 families, having 7212 children, and the estimated value of their property was 1,562,201*l.* sterling, all the creation and fruit of their own industry; and they employed and subsisted 4640 convict labourers, making thereby a saving to Government of 110,000*l.* per annum, as appears by the colonial muster of population and property for the year 1821. Here the reformation that has taken place among the convicts transported appears to us both in nature and degree. Whatever the private morals or failings of these people may be, and the greater number of them are not worse in this respect than their unconvicted fellow-colonists, they have been politically, and, as far as human laws are concerned, morally reformed; they have become heads of families; they possess considerable property, acquired by industry and honest exertion and fulfil all the political, social, and domestic duties of citizens; and their children are in the course of becoming equal to any other description of people in the King's dominions.

INCIDENTS AND EVENTS IN EUROPE CONNECTED WITH  
THE EASTERN WORLD.

No event of greater importance to India than the late Debate at the India House, has taken place since our last. Our reporter has endeavoured to give a faithful account of what was said by all parties on that occasion, and to those who desire to enter into details, we recommend the perusal of the report in question.

We may, perhaps, embrace the present occasion of saying a word or two on the subject of Debates occasionally reported in our pages, as we learn that some dissatisfaction has been expressed at the brevity of that given in our last Number. It ought, by this time, to be generally known, that reporting the public proceedings of all assemblies in England, is a duty performed professedly by young gentlemen, who are called students at law, and who take this mode of preparing themselves for the higher duties of barristers, and still more frequently Editors of Public Papers. There is thus all degrees of talent, from that of the novice up to that of the most experienced master. It may be added also that there are different degrees of industry and attention, and the individual possessing in the greatest degree the union of skill and application is consequently most in request. As to fidelity, the reporters are generally so entirely uninterested in the issue of speeches with which *their* ears must be tired from their frequent occurrence even when most gratifying to the rest of the audience, who are ever changing while they alone are constant, that they have no sufficient motive for amplifying one man's speech and abridging another's from party-feeling, into which their very profession precludes them from entering. The only cases in which they venture to suspend their operations is during what appears to them a needless repetition, as in the case of many of the most popular speakers, or insufferable "impertinence," in the true sense of the phrase, which is heard in every day's proceedings at the India House.

For this sort of abridgement, when honestly and judiciously done, the speaker should in truth be as grateful as the reader, as the reputation of the one and the patience of the other are saved by such a process. But cases will arise, and the last debate reported in our pages was one of them, in which accidents, beyond the control of either reporter or editor, will occasion much greater curtailment than is ever made on ordinary occasions. A detail of these would be as tiresome as unintelligible to the general reader; but we offer him this assurance, that we on no occasion whatever interfere with the reporting the Debates in this Work. We enjoin as much fullness as circumstances and space will admit, and strict fidelity and impartiality in any abridgement that may be indispensable. We have not yet perceived any reason to complain of these rules being violated; and as we take upon ourselves to express our own opinions in notes at the foot of each speaker's oration; we should, if we had private

enmity to gratify, and exercised any choice in the matter, have the abridgements confined to the good and sensible speeches on which there were no remarks to offer, and suffer the reporter to let the utterers of specious fallacies say their utmost, that we might have the greater food for comment. But we have no voice, and exercise no discretion in the matter. The reporter sends his own sheets to the press, and we append our comments most frequently after the type is set. There are some indeed who think it very undignified in us to do this at all; and who say we ought to let each party in the debate speak for himself, and leave the world to judge. They forget, however, that an editor cannot be otherwise than unjustly dealt with, if denied for himself the right which he concedes to all others, that of giving an opinion with freedom whenever an opportunity presents. The notion that some men entertain of the liberty of speech, however, does not include the liberty of exposure; but we are not among the number; *our* notions extend to the right of exposing all the arguments on every view of a question, and the fullest liberty of comment to all who confine themselves really to the subject in debate.

To revert to that which occurred at the India House on the 21st.—The Court was extremely crowded in every part, evidently in anticipation of some interesting discussions. The business was opened by a declaration of the dividend of  $5\frac{1}{2}$  per cent. for the half year just passed, on the capital stock of the Company: but when Mr. Hume desired to know on what amount of profit or revenue this was declared, the Chairman was glad to escape from the question, and did escape, under a vague assertion that there was always much time required, after the arrival of accounts from India, to put them in a state fit to present to the Proprietor, a fact of which we have no doubt, because the object of all East-India and Parliamentary Accounts is the same, to deceive, and not to inform. But no time would be requisite, no, not an hour, if they were to be laid before the Proprietors as they came to their servants the Directors; and if they were in that state intelligible to the one, why should they not be to the other?

The fact is, that this Quarterly Meeting to *declare* a dividend, and to submit it to the approval of the Court, is a consummate farce from the beginning to the end. The Parliament in its miscalled “wisdom” has agreed that there shall be no *greater* dividend than  $10\frac{1}{2}$  per cent. per annum, let the real profits be what they may; laying down rules for the application of the surplus; and the Directors, countenanced by all the Proprietors, take care there shall never be *less*, for when there are not real profits to divide from, they borrow more capital, to make up the sum necessary to pay the interest, and the facility with which this can be done at any time is an encouragement to the greatest waste. Never, perhaps, was a greater blunder than this of fixing the dividend of profit for a trading Company. It is even worse than the usury laws. There can be little doubt but that if the merchants and bankers of London could be ensured the same rate of profit from their funds, whether they attended to their affairs or not, we should see few people toiling so inces-

santly in the city, while they might breathe the sea breezes at Brighton, or enjoy the pleasures of the turf and the chase in the neighbourhood of their country seats. Yet, this is exactly the case of all the co-partners in this great Trading Company of India. Whether Lord Hastings makes easy conquests and leaves a surplus revenue of three millions per annum, with an overflowing treasury, or Lord Amherst engages in difficult wars, exhausts the coffers of the state, and incurs heavy debts; it is all the same; the proprietors are called together in the one case as in the other, to hear the Chairman *declare* a dividend without understanding where it comes from, and to ask their *approval*, as if they had any choice in the matter!—The Chairman *DARES* not declare a half-yearly dividend of *six* per cent. on the capital stock; for however much the Proprietors would *approve* of that, or as much more as could be had, the Parliament would interpose and prevent it. Let him once try the experiment of going below the fixed standard, and declaring a half-yearly dividend of *three* per cent. for example; and we venture to predict that no man present at the Court on such a day will give such a dividend his approval. We can imagine well the consternation that would follow. India stock would, in twenty-four hours, tumble down a hundred per cent. Hoary-headed proprietors and matronly old ladies would be putting themselves into their carriages at every extremity of the kingdom, and hastening to London to besiege the India House with their importunities. It would create a sensation from one end of the island to the other, greater than if fifty Englishmen were to be banished without trial, and stripped of all their property, or a thousand butchered in cold blood before the seat of Government, whether at Barrackpore or in Leadenhall-street. All this would be, nay, the like *has been*, disregarded; for it has happened in our own day; and *not* a muscle of any man's countenance has been moved by the tale: and why? because it has not diminished the dividends. Here is the true secret of the general apathy of the Proprietors of India stock, who would not walk from Cornhill to the Monument to vote against a law that degrades, enslaves, and renders miserable a hundred millions of fellow-beings subject to its operation in India, while they would fly from the antipodes, and come from the uttermost corners of the earth, to resist a reduction of *one* quarter per cent. on their dividends!! This is the public spirit of the nineteenth century. Well indeed *has* it been said, that “Mammon is an exclusive Deity.”

The case first introduced after the *approval* of the dividend, was that of the grant of 1500*l.* to Mr. Arnot. It had passed at its first declaration without a word being said by any one, the granters not knowing probably what to say, and thinking silence the best policy, while the approvers of the grant were unwilling to risk its possible withdrawal, by expressing their sympathy in that individual's sufferings. On the present occasion, however, Mr. Jackson, with a singular degree of zeal against the freedom of the press in India, went out of his way to make the audience understand that this money was given out of pure sympathy for Mr. Arnot's sufferings, in being burnt out of his

ship, and not at all on account of his connexion with the Indian press. Now, in the first place, if it was for being a sufferer by fire that Mr. Arnot was remunerated, that might have been rather expected from an insurance-broker at Lloyd's. The India Company could not help such a calamity, and were not bound to repair it; neither did they in the case of any other of the persons who were equally exposed to the destructive element; and, indeed, the Chairman might very properly exclude this from among the number of the causes that influenced their decision. As to Mr. Jackson's pains to convince his hearers that the Court did not by this step compromise their avowed hostility to the freedom of the press, they might well have been spared, for no one but himself would ever be likely to suspect them of such a leaning to any thing that was wise or liberal. But if Mr. Jackson really supposes that any person of sense can believe him to be sincere, when he declares his belief in the inestimable good produced by the liberty of the press in England, and the incalculable mischief produced by the liberty of the press in India, he deceives himself. As a lawyer, it is his daily practice to utter sophisms and to clothe falsehood with the garb of truth; he is fœd like other lawyers to make the worse appear the better reason; and when he is protected by his wig and gown, he may satisfy his conscience that it is not derogatory to the dignity of his learned and honourable profession. But when he stands up in the Court at the India House, in plain garments like another man, and talks of the "enlightened and dignified body" that he is addressing, or of "the high and exalted powers of this assembly," grave men must think him not in earnest, and men of more lively temperament must set him down as speaking bitter irony. This "enlightened and dignified body," so far from having any "high and exalted powers," have none but such as their own servants choose to concede to them, for any useful purpose, and this was shown by the very issue of that day's proceedings. For when Mr. Hume moved a resolution, that the Court of Proprietors should *recommend* the Court of Directors to take a certain measure into their *consideration*, and Mr. Jackson moved that certain documents should first be laid before the Court to enable them to form a correct opinion, the Chairman admitting that the documents were in his and his colleagues' possession; the result was, that the Proprietors could not get their recommendation attended to *without* the documents, nor yet the documents themselves, to make out the propriety of their recommendation! These are "the high and exalted powers" of "this enlightened dignified assembly!" But Mr. Jackson has been a member of it himself for more than thirty years. That, to be sure, is *something*!

Mr. Kinnaid observed, with great force and propriety, that he never yet heard a speech began with a laboured eulogium on the freedom of the press in this or any other country, that he was not well prepared to expect some case being about to be made out for the restriction of the very freedom so much prized. There are often the loudest vaunts of resistance when a surrender is near; the warmest professions of chastity when submission is at hand; prayer frequently

precodes deliberate plunder; and protestations of truth are never more vehement than when they usher in some atrocious falsehood. In like manner, the enemies of human freedom know their cue, and when about to cast an additional chain around the neck of their victims, soothe them with honied assurances of the deepest interest in their welfare. Out upon such mockery as this!

The 'Morning Chronicle' has said, with great truth and force, "the cruel and tyrannical conduct of the Indian authorities in the case of Mr. Arnot was so universally execrated that not a word was uttered in defence of it. There was not a man in the house who dared to commit his character in such a work." Not a word *could* be uttered; and deep, indeed, must have been the sense of Mr. Arnot's injuries from the cruel, illegal, and unnecessary severity with which their servants visited him in India, merely because he ventured, in an article written to defend the Judge of the Supreme Court from the calumnies vented on that officer and his tribunal by the Rev. Dr. Bryce, to allude, as a matter of history, to the banishment of Mr. Buckingham, as a consequence of the appointment of that meddling priest. Deep indeed, we repeat, must have been their sense of his wrongs when they consented to award him any thing, however much below the standard of his just expectations. We trust it will be a lesson to the tyrants abroad, that there are some limits beyond which they will find no sympathy or support, even among those of their own caste at home.

We take this occasion to say, that from the first hour of Mr. Arnot's connexion with the 'Calcutta Journal,' up to the period of our present writing, we have constantly felt, and endeavoured to evince, a respect for his talents and integrity, and the deepest sympathy for his wrongs. During the short period that he has been in England, he has fulfilled as ably the duties assigned to him in connexion with the 'Oriental Herald,' as he had before done those connected with the 'Calcutta Journal;' and the present occasion of transferring the publication to the established houses to whose care this department of its issue will be confided, has been embraced with a regard to his interests as well as the higher objects of the work, so as to give to it all the benefit, not only of long tried fidelity, but of knowledge, experience, and intimate acquaintance, with all the great subjects of Indian policy and legislation.

Mr. Kinnaird, Mr. Hume, and Dr. Gilchrist, were each earnest and impressive in their denunciations of the tyrannous cruelty of which this persecuted individual was the victim, and no man ventured to say a word even in palliation of the conduct of his oppressors.

When the conduct of Lord Amherst became the subject of debate, the two former gentlemen each took occasion to say, that notwithstanding all they had uttered respecting the necessity of recalling Lord Amherst, if any man, within the bar or without, would stand up and say distinctly that *he* had confidence in his Lordship's capacity for extricating India from its present difficulties; if he would

only say that he had heard that *others* had the confidence which he could not avow for himself; if he would confess that he had even seen *one* private letter from India on public affairs which expressed such confidence as existing there; nay, if any one of the Directors would only say that he sincerely believed there were persons in India who still confided in Lord Amherst as a fit and proper Governor-General, they would withdraw their motion recommending the Court to consider the propriety of his recall. Not a single Director uttered a syllable on his Lordship's behalf! Could any thing be more convincing than such eloquent silence? And yet, they withhold justice from the victims of his folly and cruelty combined; they tacitly admit his utter imbecility, but resist all attempts to replace it by superior talent! On whose heads should rest the blood that is yet to be shed before the present contest is brought to a termination?

As to the rumoured nomination of his successor, which subsequently became the subject of a conversation between Sir Charles Forbes and the Chairman, the manner in which certain notorious facts were denied, was such as to convince some that though the denials were correct, as spoken of the person addressed, yet they did not, and could not, extend to the whole body. The facts appear to be these:—Mr. Canning was the minister to whose influences, if not choice, Lord Amherst owed his appointment. Lord Hastings had left India in profound peace, in unexampled prosperity, (after it had enjoyed for five full years the liberty of the press, that “source of all mischief” in the eyes of the blind and the ears of the deaf, who will neither see the facts of history for themselves, nor listen to them when told by others), and Lord Amherst, being a quiet and amiable man, was thought quite good enough, while all things were well, to keep them so. He was acceptable to the Court of Directors, because he was ready to do whatever they wished; to quench this firebrand the free press, that had lighted up the torch of intelligence which was spreading too fast among men who loved darkness rather than light because their deeds were evil; to retrench the already scanty allowances of the army; to banish all British-born individuals not having a license to reside in India; and to do the bidding of his masters, whatever that might be. He went out. Mr. Adam had nearly extinguished the last gleam of the freedom of the press before he arrived; and he put the seal to its entire destruction. The country that was tranquil and productive during all the “mischievous” reign of free discussion, became embroiled in war, expense, and universal dissatisfaction when the press was fettered, and every succeeding month has brought disaster after disaster in its train. Terror, and an apprehension of losing the country, and with it all the power and patronage it yields, but not a grain of sympathy for the sufferings of the people, frighten the Directors into a conviction that Lord Amherst will not do. Lord Hastings is at hand, and his return would do more probably to restore confidence than any thing that could be devised. Do they ask him to go? Not they, indeed. They have already injured him too deeply to think of reparation. It is said that men

never forgive those whom they have grievously wronged, and we believe it. The more frequent practice is, where one act of injustice has been done, to attempt to justify it by heaping up others on the same head. Lord Hastings, who, if any man could do so, might yet save India, is permitted to remain in obscurity in the petty government of Malta, for which any bedchamber knight would do. This is the wisdom of that "enlightened and dignified body," of which Mr. Jackson thinks and speaks so highly.

Lord William Bentinck must not go, because he is not a favourite of Ministers; the Duke of Buckingham, because he is not a favourite with the Directors; high-born men are said to want talent; and low-born men, who have talent, are said to want rank. In the meantime India suffers, and no one is found to help her. This is the "paternal care" which the Directors and Ministers equally evince for the people committed to their charge. Will mankind never learn to estimate rulers by the true standard, and judge them by their acts like other men?

That the Duke of Buckingham had the countenance of the leading section of the Ministry to his solicitation for the office of Governor-General, there can be no doubt. That he had the interest of the Board of Control is equally certain. That he canvassed many of the India Directors is known. And that he even went the length of promising appointments on the strength of assurances then given, is also undeniable. But because he did not canvass some two, or at the utmost four, of the thirty Directors, whose known sentiments towards Mr. Wynn rendered it useless so to do; and because these could, therefore, say with strict truth that *they* had never been canvassed on the subject, "the enlightened and dignified assembly" are made to believe that there was no truth whatever in the rumour; and they go to their homes quite satisfied that the Duke of Buckingham must have been dreaming; that there was no intention of a change of Governors in India; and that no doubt was ever entertained of Lord Amherst being the fittest man that the British empire could produce to preserve that "brightest jewel in the crown of England" in its utmost purity and perfection!

We have heard that the Glasgow frigate, which brought Lord Hastings from India, has been recently despatched to the Brazils to bring home Sir Charles Stuart from thence. It is said, that he will on his arrival in England be raised to the peerage: and many well-informed persons think it highly probable that he will be offered, and most probably accept the Governor-Generalship of India, should it not be otherwise filled before that time.

#### MEETING AT THE TREASURY.

On the 6th of Dec. a meeting respecting the Deccan Prize Money took place at the Treasury, to determine the mode of distributing this long-contested booty, the division of which has occasioned a much longer and more arduous struggle than its original capture. It is not at all unusual for victorious armies to quarrel among themselves about the



division of the spoil; but, fortunately, in this case, the latter contest has been in the cabinet, not in the field, so that, although there may have been much animosity, there has been no bloodshed. First, the grand army under Lord Hastings sustained a total route from the army of the Deccan under Sir Thomas Hislop. The conquering party has since carried on a wordy war with the great Captain of the age and his colleague, at whose disposal the booty was then placed. This contest assumed, at one time, a very violent aspect in the arena of the House of Commons, between some of the adherents of either party. Since then nothing but harmless paper-pellets have been exchanged, and matters were supposed to be in a train of gradual adjustment. This meeting at the Treasury, however, has given affairs a new turn, which promises, we think, to open a fresh campaign, and summon the forces of the grand and Deccan armies again into the field. The following is our Reporter's account of what transpired at the Treasury meeting of December 6th:

This day was appointed by the Lords of the Treasury for receiving the counsel and agents of the parties interested in this booty, in reference to a report made to them by the Duke of Wellington and Mr. Arbuthnot, the trustees appointed under his Majesty's warrant. The attendance of the counsel for the Marquis of Hastings and the grand army being expected, it was reported that an intention existed to re-open the whole question which was agitated in January, 1823, between the Marquis of Hastings and the grand army, and Sir Thomas Hislop and the army of the Deccan. This report, and the uncertainty which prevailed as to the precise object of the hearing, excited great interest among the officers of the army, who crowded the room as soon as the doors were opened. Among them were Sir Thos. Hislop, Colonel Fitzsimmons, Major Wood, and many other officers of distinction.

At half-past one the doors were opened, and the counsel took their places at the table in front of their Lordships. Mr. Adam, Dr. Lushington, and Dr. Dodson, appeared for the Marquis of Hastings; Mr. Harrison, Dr. Jenner, and Mr. Talfourd, for Sir T. Hislop, and the army of the Deccan.

The Earl of Liverpool, the Chancellor of the Exchequer, and other Members of the Privy Council, having taken their seats, the hall in which they assembled was soon crowded with many individuals interested in the discussion. Among others were his Grace the Duke of Wellington, Sir Thomas Hislop, Sir John Doyle, and many other distinguished individuals connected with the Indian army.

LORD LIVERPOOL immediately addressed the counsel for the army of the Deccan, and stated that it was the wish of their Lordships immediately to put them in possession of the points to which their attention would be directed. It appeared from some communications which had passed, (and to which his Lordship did not more particularly allude), that the object of the hearing had been mistaken. It had been supposed that it was intended to open the whole question which had been discussed already, and which had been settled by the minute of the Treasury, and confirmed by his Majesty. This was a mistake; for their Lordships considered their minute as valid and binding, and to that minute they would adhere. But a question had arisen as to the booty distributable under the minute and warrant, on which they wished to receive information from the parties who might be interested in the result. The minute assumed

that booty was captured at three places, "Poonah, Mahidpoor, and Nagpore;" and now the trustees reported that this assumption was not correct; that no booty had been captured at Nagpore; that none had been realized at Mahidpoor; and that certain portions claimed as booty fell into the hands of the servants of the East India Company after the army of the Deccan was broken up. Now, the Lords of the Treasury wished, on this view of the case, to hear the parties interested, and as it might affect the Marquis of Hastings and the army under his command, they had given to him notice of the inquiry.—His Lordship further explained that the object of calling the counsel before them, was not to disturb or agitate anew any part of the question already set at rest, but to call upon the parties interested for such information as might show how far the principle of the former decision was applicable to the facts as they really stood. By a reference to the records, it would appear that an anxiety had run through the whole of the evidence on record, and the questions put to the several witnesses, to discover how far the prize property was captured by the army of the Deccan, while under the separate command of Sir T. Hislop, previous to the 31st of March, (1818.) It was decided that the distribution of the prize property should be made according to the principal of actual capture, in so far as an adherence to this was practicable. But where the booty realized was the result of the concerted measures of the combined forces, and the principle of actual capture could not be applied, there must be a general distribution. The agents and counsel for the army were therefore called upon to show what parts and portions of the property, considered booty, belonged by this rule to the separate divisions of the army.

Mr. HARRISON contended, that the booty was shown to have been either actually captured by the Deccan army, or by its operations placed in such a situation as to become prize.

Lord LIVERPOOL said he thought Mr. Harrison had formerly confined himself to the booty actually taken by the army.

Mr. HARRISON assured the noble Lord that, on reference to the short-hand writer's notes, the contrary would appear.

Lord BEXLEY referred to the printed papers, from which it appeared that Mr. Harrison, when asked whether his separate claim was confined to the masses of booty taken at Mahidpoor, Poonah, and Nagpore, replied, "Certainly, with this qualification,—when I say what was taken at Mahidpoor, Poonah, and Nagpore, that would include, of course, all that arose out of those captures, for part was taken in forts afterwards.

Lord LIVERPOOL then addressed the counsel for the Marquis of Hastings, and asked if they had any observation to make.

Mr. ADAM replied, that if he understood distinctly that their Lordships proposed to adhere entirely to their former minute, he did not think he could fairly add any thing to the observations he had previously made, or that he and the other legal advisers of the Marquis of Hastings would take upon them to interfere in any manner with the subject. But if the facts now disclosed tended at all to alter the opinion formed on that principle, then he should wish to be heard.

Lord LIVERPOOL said they certainly adhered to the minute, which having received the sanction of his Majesty, by the royal sign manual, could not be touched; but still the state of the facts now disclosed might materially alter the situation of the Marquis of Hastings.

Mr. ADAM.—The principle of the minute is that of actual capture; and if I am required to show that Lord Hastings is an actual captor, as distinguished from a constructive captor, I am unable to do so.

- The CHANCELLOR of the EXCHEQUER. No, that is not exactly so. The warrant determines that the principle of actual capture shall be adhered to as far as possible; that is decided; but then a question arises what booty was actual capture? Now, it seems, that part of the booty claimed was never seized, that is, reduced into possession, until after the army of the Deccan was broken up; and it may be made a question whether this was actual capture of the Deccan army? If it was so captured, then it belongs to them; if not, it will come within the other part of the minute, "that if the principle of actual capture be not adopted in this case as the rule of distribution, no other correct or equitable rule could have been adopted than that of a general distribution among all the forces of the presidencies engaged in the combined operations of the campaign." In this case the Marquis of Hastings might be entitled to share.

After some further conversation, it was distinctly understood that the main question to be discussed was, whether the booty arising out of the operations of the army of the Deccan, though not manually seized till after that army was broken up, was properly considered as actually captured by that army. As to certain booty claimed at Nagpore, amounting to 150,000*l.* their Lordships seemed to think that it could not be the subject of their decision.

Mr. HARRISON expressed an earnest hope that as he firmly believed the property claimed to be booty, according to all the laws of prize, either their Lordships would hear it discussed, or would send it to some proper tribunal, and would not preclude the army without hearing them.

The CHANCELLOR of the EXCHEQUER intimated that it was a matter for the consideration of the trustees, how much was booty and what was not, which the Lords of the Treasury could not therefore think of calling counsel there to discuss. The question for them was the respective claims of the different divisions of the army.

The learned counsel not being then prepared to enter into the question, it was settled that there should be a future day appointed for discussing it. The 9th of January, we believe, was finally fixed upon; and certain points were specified to which their attention should be directed. The most important were to ascertain and show how much of the booty was captured before the 31st of March, when the Deccan army ceased to be under the distinct command of Sir T. Hislop; how much of the prize property was the actual capture of a distinct division of the army; and how much was the result of the combined operations of the forces in the field.

From the vast amount of the property in dispute, the reader will perceive that a more important case has seldom been discussed, than that which is to occupy the attention of the Treasury, on Monday, the 9th of January.—The property alluded to by Lord Liverpool, upon which the Board required further information, was:—

## POONAH LIST.

No. 2. In the list of captures taken at Poonah, which was sold, and the proceeds paid in by Col. Dalrymple . . .				103,822	3	9
No. 4. Capture South of the Kistnah, proceeds given to the military Paymaster of the Army of Reserve . . . .				657	2	6
No. 9. Old timber at Candeish, valued at . . . . .				1,661	1	3
No. 10. Sale of military stores, at ditto . . . . .				562	10	0
No. 11. Ordnance at Unkie Tunkie, and booty . . . . .				4,949	6	8
No. 12. Grain at Poonah, sold by Capt. Fearon . . . . .				256	3	3
No. 13. Jewels and other valuables, estimated 30 lacs of rupees . . . . .				298,065	0	0

No. 17. Booty seized in the territories of the Peishwa, after the cessation of hostilities . . . . .	31,184	2	0
No. 18. Booty seized at Sattarah and Ahmednugger . . .	20,925	0	0
No. 22. Additional sums for booty taken there . . . . .	18,700	0	0
No. 24. Treasure found in the house of the Killedar in the Fort of Belgaum; captured by the reserve division of the grand army . . . . .	600,000	0	0

NAGPORE.

No. 27. Booty realised by Captain Conry . . . . .	43,168	12	0
No. 28. Ditto . . . . . by Captain Somerville . . . . .	1,219	6	9
No. 29. Proceeds of sale at Nagpore . . . . .	5,062	10	0

The other particulars of the claims of the Deccan Army were given in the *Oriental Herald* of last month, pp. 510—516.

It is stated in the public Papers, that Lord Hastings is to postpone his departure from England, on his purposed return to his government of Malta, until this affair is settled.

PROGRESS OF THE LEGAL PROCEEDINGS AGAINST MR. W. J. BANKES, M.P., AND MR. HENRY BANKES, SEN., M.P.,

THE readers of the *Oriental Herald* will, perhaps, remember, that on the termination of the proceedings against Mr. Murray, the action against Mr. Bankes, junior, was further delayed, in consequence of his refusing to admit the publication of the letter sent by him to India through Mr. H. Hobhouse; although he had pleaded, as his justification, that the allegations contained in that letter were true, and that if time were allowed him to procure his witnesses, he would prove their truth, and thus establish his justification for making them public. The Court accordingly granted him leave to send to Syria and Egypt; and after the delay of about a year, all the witnesses he ever professed to require were brought over to this country. On going to trial, and discovering a technical difficulty in the legal proof of publication, he refused to admit that he had ever made public that which he had before justified his having so done,—because of its truth. The obstacle could only be got over by Mr. Buckingham sending to India to get the testimony of Mr. H. Hobhouse on this point. This the Court could not, it appears, grant without Mr. Bankes's consent. But although he had been allowed this privilege himself, to enable him to establish the truth of his accusations, he would not concede the same indulgence to his opponent, for the sake of proving that the accusations were really made; and, moreover, he soon afterwards endeavoured to force the trial on, without either admitting the publication, or permitting his opponent to establish it by evidence.

The Court would not consent to this; and, at length, granted leave for a commission to be sent to India, to obtain the evidence required, on condition that Mr. Buckingham should pay into the hands of the proper officer of the Court, a sum sufficient to maintain all Mr. Bankes's witnesses for nine months, until the answer from India could return; thus giving Mr. Buckingham the pleasure of performing one of the highest duties of morality, in returning good for evil: and to those who had already taken away one garment from him, offering another also. These Syrian and Egyptian witnesses were, for some time, understood to be enjoying the *otium cum digni-*

tate at Mr. Bankes's country-seat, during the very period for which Mr. Buckingham's money was paid to provide them subsistence. But even this good fortune was, it seems, not enough for these Oriental companions, so boundless are the ever-increasing desires of the human heart. For a motion was made, during the month of November last, to amend the rule, ordering the trial to stand over till the return of the commission from India, so as to bring it on at once, when no intelligence had been received of the *Enterprise* (the steam-vessel by which the commission was sent) having reached the Cape; and also to order that the whole of the sum paid into Court for the maintenance of Mr. Bankes's Syrian witnesses should be paid into their own hands, and a further sum deposited with the officer of Court for their future use; the stipulated allowance of five shillings per day (equal to the pay of a subaltern officer in the King's army) not being found sufficient for the Mohammedan interpreter, (a private of the Albanian troops of the Egyptian Pasha,) and a Portuguese groom; the former, moreover, being understood to be already in the pay of an Egyptian master residing in London on some business of the Pasha, and the latter in attendance at Mr. Bankes's own residence.

On the occasion of making these motions in the Court of King's Bench, the following is the report of what transpired:—

MR. GURNEY, a few days ago, obtained a rule, calling on the plaintiff to show cause why the rule of Trinity term last should not be amended, by restricting the time for bringing the evidence from India to the sittings after the present term; and also, why the defendant should not be at liberty to take out of Court certain monies paid into the hands of the Master, by the plaintiff, under the said rule; and, lastly, why the plaintiff should not pay a further sum towards defraying the expenses of the Syrian witnesses aforesaid.

MR. BROUGHAM and MR. HILL, in showing cause, contended, that Mr. Gurney was in error, in supposing that any mistake had arisen in drawing up that part of the rule which respected the time to which the trial should be postponed, and commented on the absurdity of supposing the Court would grant a commission, and then allow only a time notoriously insufficient for effecting its purpose. [Mr. Justice Littledale here said, that according to his recollection, the rule was correctly drawn up.] With respect to the maintenance of the Syrian witnesses, they contended, first, that the defendant had no claim to the least favour from the Court, since he had admitted the letter in question to be in his handwriting, and had never, in the numerous applications of the Court on the subject, ventured to deny its publication. He had also pleaded a justification, viz., that the libel was true. Seeing then that the non-publication of the libel was not the ground on which the defendant rested his defence, or could rest it, they were at a loss to know on what principle he called on the plaintiff to defray the expenses of a delay occasioned by his own want of candour and fair dealing, the only object of which must be to avail himself of the possible death of the witnesses on whom the plaintiff depended, or to bear him down by accumulated expenses. They urged also the probability, that it would be found, whenever the case came to trial, that the Syrian witnesses knew nothing of the transaction in dispute between the parties, and that their costs would not finally be allowed to the defendant at all.

The LORD CHIEF JUSTICE saw no reason for varying the former rule; and the Court concurring, Mr. Gurney's rule was discharged.

The action against Mr. Henry Bankes, senior, the member for Corfe

Castle, was for libellous imputations contained in the following letter, addressed by him to Mr. Murray, the publisher, of Albermarle-street.

SIR,—I have received a letter from my son, dated Thebes, (in Egypt,) 12th of June, which is the occasion of my troubling you. He informed me that a person, named J. S. Buckingham, introduced himself to him some time ago at Jerusalem, under the pretence of being an intimate friend of Colonel Missett, and also of the late celebrated traveller, Mr. Burkhardt; that in consequence of the supposed friendship with two so respectable men, and so well known to my son, he permitted Mr. Buckingham, whose destination was to India, to accompany him for some time, and to take a copy of that part of his journal which was kept during this portion of his travels.

This ill-placed confidence has been requited in the way that such acts of kindness usually are, by ungrateful and worthless people. Mr. Buckingham announces his intention of publishing his own travels, of which I have before me an elaborate and pompous prospectus, in a Calcutta newspaper.

I know not whether you have ever heard of this projected work; but as it is intended to be printed and published in London, in a splendid manner, it is very probable that application may be made to you, before it sees the light; in which case I wish to put you upon your guard against having any transactions with such an author as Mr. Buckingham, and also against laying before the public parts of a very extensive and curious tour, in an imperfect state, which I hope and trust that my son will be induced to submit to them in the best and most complete form that he can put his valuable researches together, whenever he returns.

You will oblige me by making known what I communicate, with regard to the character of Mr. Buckingham and his intended work, in any way that you may deem proper. And I remain your obedient Servant,

H. BANKES.

Kingston Hall, Wimborne, October 3, 1819.

On the termination of the proceedings against the publisher of the 'Quarterly Review,' for the libels contained in its article on the 'Travels in Palestine,' a full report of which will be found in the *Oriental Herald* for August last,<sup>1</sup> the counsel on both sides were ready to proceed to trial with the case of Mr. Henry Bankes, for the libels contained in the foregoing letter. No special jurymen, however, answering to their names, Mr. Buckingham's counsel proposed having it tried by a common jury, to prevent further postponement or delay; but Mr. Bankes would not consent to this, and therefore the cause was again ordered to stand over as a *remanet*, until the sittings after October last.

Immediately after this decision, and, indeed, on the following day, Mr. Bankes, senior, having probably reflected on the issue of the cause against Mr. Murray, and concluded, that if the latter could not venture to put the Syrian servants, and their master, Mr. Bankes, junior, into the witness-box, to substantiate the allegations contained in the article written by his son's own hand, he would have little hope of proving any thing through the same agents, came forward with a proposition to abandon all further attempts to defend or justify his case, to pay *all* the costs, as between attorney and client, that is, every expense actually incurred, and to submit to a verdict being recorded against himself.

It was at first considered, that this abandonment of justification, which, of itself, was an admission, that there was no truth whatever in the imputations originally alleged and since attempted to be defended, should be accompanied by an apology for the wrong committed, and an expression of regret, as in Mr. Murray's case, at having been made the channel of venting the false and malicious slander of another. On the other hand, it was admitted, that as nothing could make the acknowledgment of the

<sup>1</sup> Vol. V<sup>1</sup>, p. 396.

falsehood of the charge more complete, than the entire abandonment of all justification, when every witness, either asked for or required, was in attendance, and an offer to pay, not merely the taxed legal costs, but *all* expenses incurred; it must be a matter of no importance, as far as the ends of justice were in view, whether the person committing and acknowledging the wrong, expressed sorrow for the act or not. In cases of direct personal aggression, where honour and feeling are equally wounded by an insult that rouses the passions of men, an apology and the expression of regret are generally considered the only atonement that can be received. But, in the present instance, it was a fond and naturally all-confiding father, trusting, as almost every other man would be likely to do, to the accuracy of his son's representations. He was, therefore, guilty of no great wrong in believing them, on such (to him) credible evidence, to be strictly true; and could be justly charged with little more than inconsiderate and indiscreet partisanship, in acting upon them with so much promptitude, in what he, no doubt, considered defence of his son's property and reputation. It was thought a sufficient punishment, therefore, for a father so to humble himself, as, in effect, *sir* say, "My son has led me, by his deliberate misrepresentation, to assert as facts, what, on subsequent inquiry, I find I cannot venture even to ask *him* to substantiate by his oath: and, therefore, I must admit that I am wrong; although, in making this very admission, I must do what cannot but be distressing to every parent's feelings even to hear from another, much less to perform for himself, namely, impute to my son a vice which cannot but deeply stain his reputation." There are some fathers, perhaps, who would have gone a little further, and, in confessing the wrong, express sorrow at being made its instrument; there are more, however, probably, who would maintain a sullen silence on this head; but this is a matter which can only affect the reputation of the party in error: for, if there be men who can do wrong, and *feel* no regret, or who, feeling it, will not *avow* so honourable a sensation, they are to be pitied, and with them alone must rest the blame.

There was only one condition insisted on by Mr. Buckingham, which was this: that no compromise should be made, so as to have the acknowledgment kept from the public eye, by being made in a Judge's chamber, as was at first desired; but that, as the truth of the allegations had been publicly pleaded as a justification for making them, the retraction of this plea, and the abandonment of all justification, should also be as publicly made. If this were done, it was added, Mr. Bankes, the father might be forgiven, he being, like Mr. Murray, a mere instrument in the hands of his son, and the full weight of punishment reserved for whoever should appear, on the day of trial yet to come, to be the real fabricator of charges which two parties had now abandoned as untenable.

On the 16th of December, the cause of "*Buckingham versus Henry Bankes, senior, M.P.*," being set down in the list, was called on, in due course, and the usual formality of swearing the Jury gone through, in order to make the verdict a matter of record, when the Attorney-General rose and said,—

My Lord,—My client, (Mr. Bankes,) the defendant in this cause, is unwilling to occupy unnecessarily the time of the Court. He had originally pleaded a justification, which he has since withdrawn, and is now willing to submit to a verdict being taken for the plaintiff, (Mr. Buckingham,) with nominal damages and costs; an arrangement which we understand will be consented to by the learned counsel on the other side.

THE LORD CHIEF JUSTICE.—Then the plaintiff is satisfied with your abandoning the justification?

MR. BROUGHAM.—Yes, my Lord, we are satisfied with this; because the object of my client, (Mr. Buckingham,) in bringing this action against Mr. Bankes, and a similar one against Mr. Murray, was merely to clear his character from the imputations that had been cast upon it. The result of the former trial having already amply accomplished this, Mr. Buckingham is the more ready to accede to the arrangement now proposed. And as the defendant, in this cause, has also abandoned the justification pleaded, and has thereby admitted that he had no grounds whatever for the imputations which he had cast on Mr. Buckingham's character, the object of my client in bringing this action is completely attained, and we are willing to take a verdict with nominal damages; costs to be paid as between attorney and client.

THE LORD CHIEF JUSTICE.—That is, of course, a matter of arrangement between the parties.

MR. BROUGHAM.—Certainly, my Lord, it is so agreed.

A verdict was then entered for the plaintiff, according to the directions of the learned Judge, who expressed his satisfaction at the cause having terminated in this manner.

The action against Mr. William John Bankes, the Member for the University of Cambridge, still remains to be tried. At the period of his father's making a public acknowledgment through his counsel, (who are also, it should be remembered, the counsel of the son,) of the utter absence of all grounds for the imputations contained in the letter, in which his son is cited as the only testimony on which he relied, and, consequently, the only witness required to prove their truth, the young Member had just ceased being personally engaged in canvassing the learned members of the University for their votes and interest, to continue him as their Representative in Parliament! His own cause will probably come on to be tried, however, before the election begins: but if what has already transpired has had no influence on the minds of these learned persons, the issue of the trial, be it what it may, will be equally unproductive of effect.

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#### MR. BUCKINGHAM'S LAST CORRESPONDENCE WITH THE EAST INDIA DIRECTORS.

It offers a melancholy contrast to the picture just presented, to find that though every succeeding month serves only to establish more completely the innocence and integrity of an individual whom all parties now admit to have been the victim of calumnies as false as they were atrocious,—yet the public persecutions which were so closely connected with these false aspersions of the private character of the individual sufferer, have not, in the slightest degree, abated. While all the rest of the world appear to be convinced of Mr. Buckingham's innocence, the Directors of the East India Company alone continue to treat him as if he were guilty. Though his Majesty's Ministers and the Board of Control have each given their sanction to the removal of Dr. Bryce from his objectionable appointment; though the Court of Directors have twice repeated their order for that removal; and not a single human being, either in England or in India, is found to stand up publicly, and in his own name, to defend so obnoxious an appointment,—yet the India Directors still continue to persecute, with unrelenting



severity, the individual who had the merit of first bringing this very measure they have denounced, to their own notice. Though all the world are satisfied that the wrongs done to Mr. Buckingham, and the calumnies heaped on his character, by the letters written by Dr. Bryce, and signed "A Friend to Mr. Bankes," were among the chief causes of the banishment of this supposed guilty individual from India; and though these calumnies are now admitted by Mr. Murray and Mr. Bankes the elder, who were made the first instruments of uttering them, to be false—while the original framer of them, Mr. Bankes the younger, does not even dare to give his own testimony, to save these instruments from public odium, by asserting on oath that they are true;—while all this is happening, and the whole community are congratulating Mr. Buckingham, who has thus succeeded, in spite of so many obstacles, in establishing his innocence, the India Directors alone continue to heap fresh wrongs on his devoted head; and, by their refusal to redress injuries as undeserved as the calumnies out of which they arose, condemn the offspring of an *innocent* father to pains and penalties from which the children of Thistlewood, Thurtell, Fauntleroy, Probert, and the most clearly convicted criminals, were exempted! If there be any man among the twenty-four India Directors who can think of such relentless persecution and undeserved misery, without a pang at being an instrument towards prolonging the sufferings of the innocent victims—he is indeed to be pitied. If there be but *one* among them who does not concur in the justice of inflicting such unmeasured punishment for what all except themselves now admit to have been a *virtue* and not a crime, he owes it to his self and his posterity to proclaim his non-participation in such ruthless deeds.

We give the Letters to the Court, and their brief and unfeeling answers: Let both speak for themselves.

*To the Honourable the Court of Directors of the East India Company.*

HONOURABLE SIRS,

London, Nov. 12, 1825.

I HAD hoped that my letter of the 6th of Sept. would have contained the last appeal that I should ever have occasion to make to you, on the subject to which it related. Subsequent information from India compels me, however, to make one effort more, before I entirely abandon all hope of relief. Letters recently received from Bengal, convey to me the appalling intelligence, that the *whole* of my property there (which was worth, at the period of my leaving it, 40,000*l.*) has, by the measures of your Government alone, and notwithstanding all the exertions of my agents, Messrs. Alexander and Co., to avert the evil, been not only swallowed up entirely, but the very wreck of its materials encumbered with heavy debts, which I am now called upon to pay.

If, at the period of my being ordered to quit India, the Government had, by a direct act of power, decreed the total confiscation of all my property, and proceeded to effect its immediate destruction on the spot, dreadful as such punishment would then have seemed, it would have been an act of mercy, compared with the measures which they have since pursued. Instead of leaving behind me a large and valuable Establishment, in the confident assurance that its property would be as secure from violation as in England, I should have done well to have set fire to the whole. The devouring element could only have consumed my house, and all the accumulated wealth which years of labour had there deposited as in a place of

safety. But, by the subsequent measures of your servants, I am not only ruined, but loaded with heavy debts, which I may probably never be able to repay. Should any doubt be entertained of the accuracy of this statement, I beg to say, that there is now in England one of the firm of Alexander and Co., to whom all the accounts connected with this unfortunate affair have been submitted, and who will therefore be able to confirm the facts, whether they relate to the results or to their immediate cause.

I have before preferred my claim to reparation as one of right, and made my appeal to your justice for redress. You have decided that my claim is not sufficiently established to deserve your attention;—and to this decision I must submit. I approach you now, however, as a petitioner, earnestly entreating your consideration of my case, not as a political question,—not even as a claim for restitution of rights; but merely as the case of an individual, who left behind him in a country governed by your servants, a property of the actual saleable value of 40,000*l.*, and who is now reduced to absolute poverty and debt, by the entire destruction of all he possessed, in consequence of measures pursued towards that property *since* the period when he left it, in supposed security, in your territories, and consequently without the possibility of his having done any thing which could justly draw down upon him so dreadful an infliction of punishment.

I might well entreat your consideration of this heavy and undeserved calamity on my own account alone. But I have also others dependent on me for protection and support. I have children to educate and to maintain; nor can I, without a pang which would embitter the rest of my existence, consign them silently to indigence and ignorance, after they have passed their youth in well-founded expectations of respectability in life. If it were the determination of your Government to punish *me* for my supposed offences, it never could have been their intention to visit the sins of the father upon the children, or make them, during the remainder of their lives, to feel the weight of an evil which must have been designed for me alone;—and yet, without the restoration of my property, this must be the inevitable result.

I will not tire the patience of your Honourable Court, by a recapitulation of what has been already so often stated in my previous letters; but you will, I hope, forgive me for reminding you, that soon after my arrival in England, and on receipt of intelligence that my establishment in India was breaking up, and my property there dissipating and wasting away, under the charge of one of your own servants, placed in my house, and made by an act of your Government the controller of all I possessed, I asked your permission to return to Bengal, for such short period as you might deem proper, merely to meet the just claims of others, to recover the sums due to myself, and to gather up the fragments of my wrecked and ruined property, before it was *altogether* annihilated. This request was refused me; and the result has been, that not only has all that then remained been since entirely swallowed up, but heavy debts have been accumulated against me, which never could have taken place had my return for ever so short a period been then permitted.

When I look around me and behold the fate of others who have been placed in circumstances similar to my own, there appears to me something incomprehensible in my unhappy destiny. I see a printer in New South Wales, whose office was closed by some government functionary, reinstated in all his rights of property by an English Judge. I observe an editor in the West Indies, whose journal was suspended, allowed to resume it again, within a short period, on his own account. I remark, that two men of colour, banished from Jamaica on the supposition of their being foreigners, are to be restored to their property and their homes. I find Mr. Greig, the

editor of the 'Cape Gazette,' suppressed by Lord Charles Somerset, allowed by Government to return and re-establish his press, with a full restitution of all his property, and ample security against any similar violation of it in future. I learn, with even more pleasure still, that Mr. Arnot, who never had any license to reside in your territories, and who had made no large accumulation of property by years of labour in India, as I had done, though sent from that country avowedly on the same grounds as myself, has nevertheless his actual losses repaired by the justice or generosity of your honourable Court.

What inexpiable crime then have I committed, which should shut me out from all hopes of redress, while others have their claims attended to, and injuries of not one-tenth the severity or extent compensated within a few months, while mine have now laid for years unrepaired? If it be that instead of following the example of more fortunate appellants, and throwing myself on the mercy of those in whose hands the power of redress is placed, I have been induced to lay my claim before you as one of right, I can only say that I adopted the latter course, in the conscientious belief that your honourable Board would view the mere question of property, divested of all its political associations, as I myself had done. It appears, however, that in considering myself to be entitled to reparation for losses actually sustained, as a matter of right, my views were erroneous. My claim as an *Appellant* has been rejected; and I must yield to the decision. But, if the door of your Court be not irrevocably closed, I now place my prayer as a *Petitioner* upon its threshold; and, for my children's sake, I implore that it may yet be heard.

Your Chief Justice, Sir Francis Macnaghten, avowed his conviction, in the most solemn manner from the bench, that the property vested in the 'Calcutta Journal' ought to be respected. Your Governor-General, Lord Amherst, as distinctly admitted the same principle when it was pressed on his consideration. The late Mr. Adam, also, in the pamphlet published by him soon after my departure from Bengal, disavowed explicitly any intention of evincing undue severity towards me personally; as he considered my removal from the country a sufficient punishment. In addition to all which, your honourable Court itself, through its late Chairman, publicly expressed a regret that I had not remained in India to accumulate a fortune by those talents which he was pleased to say I possessed, instead of appearing, as I then did, in the character of an individual appealing for redress to the Court over which he presided.

What need I say more?—That fortune *was* acquired, at least to as great an extent as my most sanguine wishes reached; and this, too, under the sanction of your honourable Court, whose license to remain in India was sent out to me from England, and recognized by the authorities there, as sufficient to warrant my continuing to reside in Bengal, under the sanction of the Governor-General himself, and in strict conformity with every existing law. At the period of my leaving India, therefore, I was as honourably and as lawfully possessed of 8,000*l.* a-year in income, or 40,000*l.* in value, in tangible and saleable property, as any member of your extensive body, who draws that amount of dividend, or holds that amount of capital in India Stock. By the measures of your Government, enacted and carried into operation *since* that period, I have been as effectually deprived of that income and that property, as if it had set fire to the whole on the spot, leaving me at last encumbered with heavy debts, without my being permitted even to gather up the fragments of the wreck, which are now irrecoverably scattered to the winds!

Surely, honourable Sirs, if this question of the total destruction of my

property, for acts done by *others*, and *since* I quitted your territories, be but calmly considered, you can hardly fail to compassionate the unparalleled severity of my sufferings, and in this spirit to receive my present appeal to your generosity, for *some* consideration at least, in order to lessen the amount of those pecuniary embarrassments with which, in consequence of the measures of your servants in India, I am now, and must for a long period to come, be overwhelmed.

However great the magnitude of all that I have lost may appear to me, when I contrast the silent horrors of debt and the dreary prospect of a prison now, with the brilliant pictures of affluence, and the scenes of wealth and enjoyment, by which I was surrounded but a few brief months ago: yet to you, who are the Stewards of so vast an estate, the mere amount of the injury cannot be a reason for its not being repaired. Your treasury has already afforded to Mr. Arnot, my assistant, a full compensation for all his losses; and all I ask is, that from the same source, and with the same feelings which awarded this, my children may also be rescued from that state into which the utter annihilation of their parent's fortune must otherwise inevitably plunge them. If the whole amount of this should seem too large, I shall be grateful for whatever portion may, to your own breasts, appear to be a reasonable and adequate compensation for the heavy and undoubted losses which I have sustained in a pecuniary point of view alone, to say nothing of those severe and protracted bodily and mental sufferings which have preyed upon my frame and spirits for so long a period, and which, though future competency may soothe, no wealth can uncreate, or remove the remembrance of for ever.

As, on this question, I throw myself entirely on the moral sense of justice and right feeling of your honourable Court, without at all reverting to legal claims of right, I will not venture to suppose the possibility of my prayer being utterly rejected. Let my children, at least, receive at your hands a restitution of those hopes so unexpectedly torn from them, by the loss of all that would have cheered the prospect of their future life; for *their* innocence, as well as their injury, must be beyond all doubt; and these considerations may, I trust, be admitted to plead for them, where my voice would intercede in vain.

I remain, honourable Sirs, your most obedient humble servant,

J. S. BUCKINGHAM.

11, Cornwall Terrace, Regent's Park.

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*To the Honourable the Court of Directors of the East India Company.*

London, Nov. 13, 1825.

HONOURABLE SIRS,—Since my letter of yesterday was sent in to the Secretary of your Honourable Court, it has been suggested to me, that mention should be made of the specific acts of the Bengal Government, to which the losses I have sustained may be clearly attributed; I beg permission, therefore, to enumerate them in this supplementary letter.

1. When the regulation was passed for placing all the newspapers in Bengal under a license, which was subsequent to my removal from India, the Chief Justice, Sir Francis Macnaghten, consented to its being registered in the Supreme Court, only on the express condition, and with a positive pledge, that the property vested in all the existing papers, and more especially that of the '*Calcutta Journal*,' which was mentioned by name, should be respected; adding, that if he had not received that assurance from the Government itself, he would not have consented to give the regulation the

force of law by registering it at all.<sup>1</sup> In the case of Mr. Arnot, who gave offence to the Bengal Government, by his allusion to Dr. Bryce as the cause of my removal from India, the Governor-General and Council distinctly admitted their intention to respect this pledge; and assigned as their reason for ordering Mr. Arnot to quit the country, that there was no other mode of expressing their displeasure, without "injuring the interests of the sharers in the property,"<sup>2</sup> thereby confirming the conviction that this property would not be destroyed. Soon after this, Colonel Stanhope's pamphlet 'On the Press in India' was republished, section by section, in the 'Calcutta Journal'; and the absence of all intimation on the part of the Government, as to the early portions being objectionable, encouraged Mr. Sandys, the Editor, to continue it through several weeks, till the whole series of the Essays were concluded. It was not till some days after this had been entirely closed, that any indication was given of such publication being displeasing to the Governor-General in Council; and then, instead of removing Mr. Sandys, as Mr. Arnot had been removed, and insisting on some other Editor being put in his place, by which the property of the shareholders in the Journal might have been preserved, and the views of the Government, with respect to the control over all subjects of discussion, as effectually secured, the license for publishing the paper was entirely withdrawn.<sup>3</sup> By this act, the whole value of the property, which consisted in its continued employment, and consequent productiveness, was at once destroyed, — in violation of the pledge given by the Chief Justice, when the licensing regulation was passed, and recognized and acted on by the Governor-General when Mr. Arnot was removed.

2. On a representation made to the Government by the principal Proprietors of the suppressed Journal, setting forth the extent of the injury sustained by this act, the Governor-General, Lord Amherst, promised to renew the license of the paper, in order to repair, as far as such renewal might effect it, the loss sustained by the shareholders from this suppression. On the faith of this promise, the whole establishment of the office was kept up for several weeks, in daily expectation of the promised license being granted; which procrastination on the part of the Government was attended with a heavy loss, in the continued expenditure maintained without receipt, and with still greater injury from the daily loss of the old subscribers to the paper, who, tired with waiting for its perpetually-promised, but still delayed appearance, went over to other papers, and particularly to the 'Bengal Hurkaru,' then edited by Lord Amherst's own personal physician, Dr. Abel, who held the editorship on terms which made his emoluments increase with the number of his subscribers, giving him, therefore, a direct interest in the protracted suspension and ultimate ruin of the 'Calcutta Journal,' whose loss was his gain.

3. After a long and ruinous expenditure had been thus maintained, on the pledge of a license being granted for the renewal of the 'Calcutta Journal,' under its original Editor and Proprietors, it was at length determined by the Governor-General in Council that no such license should be issued at all, except on the condition of a new Editor being appointed, who should be a covenanted servant of the Government, in order that they might possess an

<sup>1</sup> Speech of Sir F. Macnaghten in the Supreme Court, on the 31st of March, 1823.

<sup>2</sup> Letter of Mr. Secretary Bayley to John Palmer and George Ballard, Esq., dated September 3, 1823.

<sup>3</sup> Letter of Mr. Secretary Bayley to Messrs. Sandys, Palmer, Ballard, and Ozario, dated November 9, 1823.

entire control over his conduct, and regulate his proceedings according to their will and pleasure. This condition, unexpected and unacceptable as it was, was, nevertheless, complied with by the agents of the property, Messrs. Alexander and Co., rather than lose the only chance that now remained for repairing the ruin already created, by an endeavour to recover the loss of money, time, and subscribers, occasioned by the suppression and delay adverted to. The renewal of the 'Calcutta Journal' was accordingly announced to take place on Monday the 1st of December, 1823, under its original designation; but the Governor-General again changing his mind on this subject, a letter from the chief Secretary was sent to the office late on the Sunday evening, the day preceding the intended appearance, forbidding its publication under its original name, which obliged the printer to issue another announcement, explaining the cause of the new delay, and postponing its publication indefinitely, till the Government should fix on the new appellation by which the Journal might in future be known.

4. After this second suppression of the paper, from no other assigned cause than that its name was offensive to the Governor-General, who did not wish to have the words 'Calcutta Journal' revived—the whole of the months of December and January were suffered to pass away, with all the establishment of the printing-office maintained as before, in the daily expectation of the Government settling the name of the paper, and permitting it to go forth; when it was at last proposed to call it 'The British Lion':<sup>4</sup> a name of which Lord Amherst approved, and all difficulty on that head seemed now to be overcome; but not until after a great expenditure of money, and further loss of subscribers going over to other papers, had resulted from this second delay.

5. On the very eve, however, of recommencing the paper under this new designation, another difficulty was started on the part of the Government. Their own Editor had been accepted—their own name had been adopted—and every condition exacted by them complied with, both in the letter as well as the spirit of their commands. But it appearing that Dr. Muston was to have only a large salary and a commodious dwelling, rent free, (with a necessary exemption from all his medical duties, though still receiving the Government pay,) while the profits of the paper, if any, were to go to the original owners of the property, of which I still held by far the largest share, the Government came to the further resolution that no license should be granted to the paper at all, so long as I, or any of the original Proprietors of the 'Calcutta Journal,' held any share whatever in its property.<sup>5</sup> They signified, in the most distinct and explicit manner, their determination not to be satisfied with any thing short of a complete sale and transfer of the whole of the property from my hands to those of their own servant, Dr. Muston—the only Editor to whom they would grant a license for carrying it on; and to him only as a *bond fide* proprietor of the property, to reap all the profit that might arise from its use, and not merely as an Editor, conducting it, on however large emoluments, for the benefit of those to whom that property of right belonged.

6. Nothing now remained but to abandon the concern entirely, and submit to a total loss; or to comply with the conditions imposed by Government on the renewal of the paper. But as Dr. Muston was unable to raise a sum equal to that required for a money-purchase, it was found necessary

<sup>4</sup> Dr. Muston's letter to the Chief Secretary, dated Calcutta, Jan. 29, 1824.

<sup>5</sup> Letters of Mr. Secretary Bayley to Dr. Muston, dated Dec. 31, 1823—Jan. 16, 1824—Jan. 30, 1824—Feb. 10, 1824.

Letter of Mr. Harrington to Dr. Muston, dated Jan. 1824.

to make such a conveyance of the property to him, as would satisfy the conditions exacted by the Government, guaranteeing to him whatever profits might accrue above a certain rate of interest, to be paid to the Proprietors, but still retaining on the part of the latter the full responsibility for all debts contracted in carrying the paper on.

7. This being done, and the Editor, thus forced into the management of the property by the stipulations for that purpose which the Government thought proper to exact, being fairly seated in his office, he continued to conduct the newspaper, under the title of 'The Scotsman in the East,' (the intended name of 'The British Lion' having been abandoned,) for several months, until the close of 1824, in so destructive a manner, that instead of any interest accruing to the original Proprietors, nothing was paid but his own and his assistants' emoluments. On the contrary, a number of heavy debts were contracted, which Dr. Muston was unable to pay, and which came therefore on the Proprietors, to add to their loss; while the materials of the office, perfect and complete as they were when left by me at my departure from India, were of necessity brought to the hammer as the only means, of disposing of them, when, there being no purchasers to compete with each other, for materials which the Government would allow only one favoured man to use to advantage, the splendid collection of printing apparatus, which it had cost me upwards of 20,000*l.* sterling money to get together, was knocked down in lots for the mere value of the wood and metal of which the presses and types were composed, bringing altogether the sum of 18,287 rupees, or little more than 1*s.* 6*d.* in the pound of their prime cost!

8. By the first suppression of the Journal, and the consequent loss of subscribers, who, at the period of this suppression, went over to other papers, there was sustained a positive loss of at least 20,000*l.*, reckoning the copyright and goodwill of the concern as worth only five years' purchase, at which it would have sold at any time, if not suppressed by Government, as the establishment was clearing, as a mere printing concern connected with the paper, upwards of 4,000*l.* sterling per annum, at the time of its first suppression,<sup>6</sup> when Mr. Sandys might have been removed, as Mr. Arnot had been, and the property still kept together under some other Editor.

9. By the several months' expenditure maintained on the faith of a license being granted for the renewal of the paper, while not a shilling was receiving during the whole period, a loss occurred of more than 30,000 rupees, or 3,000*l.* sterling, which would not have occurred had the Government given no hopes that it did not mean to fulfil.

10. By the destructive management of 'The Scotsman in the East,' in Dr. Muston's hands, not only was the common interest of the capital lost, but the receipts were entirely consumed, leaving a loss of 28,000 rupees, or sterling in debts, which the Proprietors, of whom I am the principal, are 2,800*l.* called upon to pay.

11. In consequence of the solemn assurance so publicly given by the Chief Justice and the Governor-General, on two separate and distinct occasions, that the property of the 'Calcutta Journal' should be respected, I continued long after my arrival in England to send out supplies of printing-paper, books, and other materials required for current use, on which account alone I have incurred a debt of 2,500*l.* sterling, although the greater portion

<sup>6</sup> It produced 8,000*l.* a-year under my own management, and was worth, at five years' purchase, 40,000*l.*, at which rate of value one-fourth of the whole was actually sold.

of these materials have been since consumed in the ruinous management of Dr. Muston, while the establishment was under his direction, and in the still more ruinous sale, when it was found necessary to bring the wreck to the hammer, as the only way of preventing further accumulation of debt thereon.

12. By these successive measures, all pursued by the Government, and without the possibility of any act of mine having deserved such punishment, as they have all transpired *since* I quitted the country, and have reference to acts of others, I have suffered, at the lowest calculation, an actual loss of 40,000*l.* in money value, and in addition to this calamity, am made responsible for debts to the amount of nearly 10,000*l.* more. As, therefore, all the resources brought with me from India are now exhausted, and as I have entered into various pecuniary engagements since my arrival in England, on the faith of my property in India being available to enable me to fulfil these engagements at the appointed time, there remains no hope of my escaping bankruptcy and a prison, but by a restitution of some portion, at least, of those heavy losses incurred by the measures of your servants abroad, and in my absence from the country, now impossible to be recalled.

13. My punishment has been already so severe and unexampled, considering the nature of my alleged offence, that it is humbly hoped your honourable Board will not add, to my sentence of perpetual exclusion from one quarter of the globe, perpetual poverty and degradation in every other; or compel me to seek an asylum from the tempest in a painful and necessitous exile from the friends of my youth, and the country of my birth, after being driven, for a slight excess of well-meant zeal, from the friends of my manhood, and the country of my adoption by choice, where I was acquiring an honest fortune for my children and honourable renown for myself. If, by your rejection of my present prayer, I am effectually banished from both, I can then have no hope of a resting-place, but in the grave.

I have the honour to remain, Sirs, your most obedient humble servant,  
J. S. BUCKINGHAM.

11, Cornwall Terrace, Regent's Park.

Ten days after these letters had been sent in to the Court, during which period strong hopes of a favourable answer had been excited, in the personal interviews of private friends with several of the Directors, the following brief answer was returned by the Secretary, stating that the Court saw no reason to alter their opinion expressed so long ago as August 1824: and consequently deciding that neither Mr. Buckingham nor any of the parties on whose behalf he appealed, had any just claim whatever on the East India Company!!!

To J. S. BUCKINGHAM, Esq.

East India House, 23d Nov. 1825.

SIR,—I have laid before the Court of Directors of the East India Company your letters of the 12th and 13th inst., and I am commanded to acquaint you that the Court can only repeat the intimation conveyed to you by their Assistant-Secretary's letter of the 15th of September last.

I am, Sir, your most obedient humble servant,

J. DART, Secretary.

It remains to be seen whether the Proprietors at large will confirm this cruel and disgraceful sentence of their unfeeling servants, or give their sanction to so unparalleled a persecution as this, which consigns an innocent family to hopeless ruin for the alleged offence of *others*, and tramples on the most sacred rights of those whose only fault has been—too earnest a desire to promote the interests and happiness of their fellow-beings.



Instead of appending any opinions of our own to this case, beyond what are stated in the letters themselves, we shall put on record a few of the opinions expressed by others, including those of persons avowedly hostile to the opinions which they suppose we maintain, for it is impossible that they can understand them. For their future information, however, as well as that of others, on East Indian politics, we may say, in a few words, that our creed is simply this:

1st. That the King of Great Britain ought to be considered *as great* a personage as the servant of a Company of Merchants: and that the powers of the Governor-General in India ought not to *exceed* those of his Sovereign in England. 2dly. That the laws of England, administered by a British jury, ought to be considered *as deserving* of our respect, and are likely to be *as wise* as the caprice of a Despot, vented in passion and exercised without check, control, or responsibility. 3dly. That wealthy and well-educated British-born subjects ought to be considered as entitled to at least *as much* freedom as the degraded and ignorant Asiatics, who form their servants and dependants in the East: and that *the same* protection of person and property which is extended by British law to the naked and warthy scavenger who sweeps the streets of Calcutta, ought to be enjoyed by English gentlemen holding the highest consideration among their fellow countrymen, and moving in the first circles of society in the land.

We do not think these opinions very treasonable: although it might have been *imprudent* to maintain them, as indeed the melancholy result has proved. But when it is stated that the most abject and wretched individual in Calcutta, whether Hindoo, Musulman, Frenchman, or American, can reside there without a license, while even Mr. Canning, *because* he is an Englishman, could not set his foot there without it; but that, even when he has it, he may be transported without trial, as if he had it not; that while foreigners of every description enjoy the utmost protection in person and property under British laws, these same laws afford no protection to the Englishman; that Mr. Buckingham was banished by a decree which could not touch a foreigner, and his property destroyed by a regulation made purposely to effect that object a month after he was forced from the country, and while he was known to be leaving his property in the full confidence of its security, and in total ignorance of all the ruin that awaited him. When all this is remembered, it will be hard to say that Mr. Buckingham's opinions are imprudent—when he says that “such things should not be;” and this indeed is all for which he ever did contend. But we proceed to give the opinions of others, which are entitled to more weight than our own.

*From the Morning Post.*—The case of Mr. Buckingham, we find, is again to be brought under the notice of the East India Directors, at their Court, this day. Our opinion of the imprudence of this gentleman's political opinions and conduct need not be repeated; neither do we agree with him that his case can properly be stripped of every consideration, save that of the invasion of private property. The Government of India exercised a legal power in refusing to license any publication in which Mr. Buckingham had a property; and in consequence of that public exercise of public authority, the private property of Mr. Buckingham (consisting of printing establishments) was very greatly reduced in value. It would be absurd to employ argument for the purpose of showing the distinction between such a case and one which would constitute an infraction of the rights of private property. Nevertheless, we are decidedly of opinion that the privations to which Mr. Buckingham has been exposed never could have been anticipated by the Indian Government; and that it would be worthy the liberality of the Court of Directors to make some compensation for his great losses and sufferings. We sincerely hope

that its members will consider the hardships of the case—the extent of punishment compared with the offence, and come to a similar opinion.

*From the Courier.*—We have received two communications from Mr. Buckingham, consisting of letters addressed by him to the Court of Directors of the East India Company, and copies of correspondence, with other documents, relative to the suppression of Mr. Buckingham's Paper, the 'Calcutta Journal.' We have not, hitherto, entered into this controversy, nor do we feel inclined to do so now. It is the less necessary, perhaps, as we understand the case is to come before a meeting at the India House to-morrow; and we would fain hope the decision, whatever it may be, will be consonant to the dictates of strict and impartial justice. Mr. Buckingham certainly establishes a *prima facie* case, of much hardship, and severe loss. If he can succeed in establishing, by evidence, all that he states, his claim to pecuniary recompense will be undeniable, and, we have no doubt, undisputed by those who are bound to do him right.

*From the Globe.*—We insert, in another column, a letter from Mr. Buckingham to the Court of Directors, on the destruction of his property in India, which is to be considered by the Court of Proprietors of the East India Company to-morrow. In any country that professes to be governed by law, or even in those countries of Europe which are commonly called despotic, we never heard of so reckless an accumulation of injuries upon the head of an individual as that which this case exhibits. The removal of Mr. Buckingham from India, for jesting at an appointment to an inferior office, (which appointment the Court of Directors itself condemned), might be just;—the suppression of the liberty of the press in India might be wise;—but *both* these measures could not possibly be wise and just, because the second measure alone would have answered all the purposes expected from the two. But even if both these steps were justifiable, what are we to think of a government superadding to both these acts the wanton destruction of individual property? What will be thought of the determination of the Government *after* the liberty of the press had been suppressed,—*after* Mr. Buckingham had been banished, that no Paper should exist in which he had any share, and that therefore his property, collected in India at vast trouble and expense, should be rendered useless to him? We wish all proprietors of India Stock would read the documents appended to the detailed correspondence with the Directors in the 'Oriental Herald' for the present month, in which it is clearly proved that such a determination existed, and that the consequences were, that a property worth 20,000*l.* or 30,000*l.* was reduced to a loss. Let them look at all the meanness connected with the transaction in Bengal, and let them consider whether, for their own interest, they will sanction such a disgrace to the Government of which they form a responsible part.

*From the Examiner.*—On various occasions we have felt it our duty, both as men and as journalists, to call the attention of the public to the grievous wrongs heaped upon Mr. Buckingham by the Indian authorities; and we cannot persuade ourselves that the clear proofs which have been offered of his unmerited inflictions will have failed to produce a conviction in the minds of all disinterested persons, that the character of the country will be tarnished if something like justice be not dealt out to the sufferer. The FREE PRESS of England will indeed sadly neglect its duty, if it does not put forth its power, (and great is that power,) and advocate the cause of a man of talent and integrity, who has done nothing but that which should most especially recommend him to the support and esteem of every friend to freedom and humanity. And what true Englishman is not concerned, when the arm of power is wielded for the double purpose of annihilating a great public right, and of crushing the honourable individual who has dared, at all hazards, to contend for it? It will be seen, that Mr. Buckingham has again triumphed over his private slanderers; but however gratifying to his feelings, this will avail him but little, if he is to be despoiled of his property by his public enemies.

*From the Sunday Times.*—Amid the long dark records of absolute power and oppression, that, for more than sixty years, have marked our ascent to universal empire in Hindostan, if we commence with the rapacious Clive, or pass to the able but despotic Hastings, till we come to the present day, when the sceptre of a dynasty, extending from the Burhampooter to the Indus, and from the Cape Comoria to the confines of Tartary, is wielded by the feeble hands of William Pitt (Lord Amherst), we can trace nothing more monstrous than the despotism of which Mr. Buckingham is now the victim. One solitary parallel may perhaps be found, in the recent ruin of the Palmers, at Hyderabad; but all else that we can discover, whether the white and black treaty of Clive, the murder of Nunducumar by Hastings and Impey, the plunder of the defenceless Begums, the horrors of the Rohilla war, or the deposition of Cheyt Sing—fade, in our estimation, ‘into thin air,’ before the arbitrary exile and the noon-day plunder of an unoffending Englishman. We have read of the tyranny of the Monguls, when, from Cashmere to the Malabar coast, all India owned their sway. The atrocities of Jaffier-Ali-Cawn are familiar to our memory. The horrors practised by the ferocious Hyder, and Tippoo, his savage son, are yet remembered in the Carnatic and Mysore. But the Musulman was safe beneath their rule. The hand of conquest was armed against a power, which religion (the creed of Mahomet) denounced. No follower of the Koran groaned in their dungeons, or bled under their sabres. But for our day, and our power, it was reserved to see an Englishman hunted from the shores of India by a momentary mandate; to behold his prospects blasted, his property wasted, his fairest hopes and those of his family irretrievably ruined, and all compensation then denied him by that Company whose servants in India were the authors of those merciless deeds. This most oppressive case has been some time before the country, and why do we revive it now? Because Mr. B. has lately appealed to the justice of the Directors at home, and that justice has been denied. We have at this moment before us a statement of the entire transactions, with Mr. Buckingham’s two admirable and feeling letters to the Court of Directors, and the reply of their Secretary, on the 14th of last September—*negating* all relief. He is stripped of his property, and then told he has no claim to compensation! Could this be done in England? And if not—how can it be warranted in India? Is there one code of justice for Europe, and another of injustice for Asia. A Roman citizen, wherever placed, was safe in that character from the hand of tyranny; but to an Englishman, the plea is useless. Mr. Adam, the *author* of these proceedings, is now in his grave, and we war not with the dead. But Lord Amherst still rules in India, and is responsible for his acts. If our empire in the East is founded on justice and opinion, what is there to dread from a free press? *If force and terror are the substitutes*—then the silence of Turkey is more suitable. Had Mr. Buckingham pandered to power in India, he would have been favoured and prosperous; had he made his paper a mere Court Gazette, exile and ruin would not have awaited him—

‘Happier his fortunes, like a rolling stone  
His giddy dullness still would lumber on,  
Safe in its heaviness should never stray,  
But lick up every blockhead by the way.’

He chose a different course; but the path to principle is not always that to fortune—

‘While HONEST men by slow degrees grow great,  
The SHORTEST road to riches is DECEIT.’

There is yet one tribunal, however, that will do justice to Mr. Buckingham, and that is Public Opinion.

We have not had the good fortune to learn the sentiments of the Daily ‘Times,’ on the subject, from any recent declaration of its conductors. But they may be easily inferred from the expressions used by them on

a former occasion.' So long ago as May 27, 1824, 'The Times' contained the following paragraph.

Mr. Lambton introduced, on Tuesday night, to the House of Commons, a Petition from Mr. Buckingham, whose name has been before the public for some time, as editor of a Calcutta paper, for his mode of conducting which he was expelled from India by Mr. Adam, Governor *pro tempore*, after Lord Hastings had resigned. The Petition is much too long to be inserted in this Journal; but we must say, that if the facts detailed by the petitioner be not pure inventions;—if they be not at least grossly exaggerated, or shamefully discoloured, or their bearings perverted by the suppression of other facts, capable of explaining them in a sense more favourable to the Indian Government;—if none of these things can be truly affirmed of Mr. Buckingham, then we do say, that his petition discloses, not one, but a series of proceedings, by the *pro tempore* administration of Calcutta, disgraceful for the spirit of despotism and persecution which distinguishes them in all their stages.

What then is the real state of the case? Nearly two years have elapsed since this petition was presented to Parliament. Neither within the walls of that House, nor without, has any attempt ever been made to call in question the strict accuracy of every allegation it contained. Not a shadow of doubt has ever been thrown upon the literal truth of every line it contains. Will not the *Times* then repeat its declaration? But if the persecutions detailed in this petition were so dreadful, (and no one denies but that they were,) what must be said of all that succeeded the period, at which the history given in that petition closed? That was but the *beginning* of a relentless war, which has since been continued on the property of the victim marked out for destruction—till all is swallowed up and gone, till penury has succeeded to affluence, and debt and misery to the command of wealth enough to make all his dependants happy to the remainder of their lives. The acts that have followed those embodied in the petition are far more cruel and unjustifiable than any there detailed: and if the one deserved to be denounced as disgraceful to Englishmen, the others deserve to be visited with the execration of all mankind.

#### DEBATE AT THE EAST INDIA HOUSE.

*East India House, Dec. 21.*

A QUARTERLY General Court of Proprietors of East India Stock was this day held, pursuant to charter.

##### EAST INDIA COMPANY'S VOLUNTEERS.

The CHAIRMAN (C. Marjoribanks, Esq.) laid before the Court a statement of the expense incurred by the Royal East India corps of Volunteers, for the year ending the 1st of August, 1825. The amount was 3602*l.* 9*s.* 11*d.* He also laid before the Court an estimate of the probable expense of the corps for the year 1826, which was 3741*l.*

Mr. HUME.—I wish to know the number of men of which the corps consists, and whether they are regularly disciplined or not?

The CHAIRMAN.—The corps consists of 700 men, and there are plenty of recruits to keep it up.

Mr. HUME said, he had no doubt but that the recruits were plentiful enough; but he wished to know whether the men were so disciplined as to warrant this expense?

The CHAIRMAN had no hesitation in saying that they were properly disciplined.

Mr. HUME inquired, how many days in the year they were called out to exercise? Other corps were drilled during a certain number of days.

The CHAIRMAN.—If the hon. Proprietor wishes to know that point off-hand, I certainly cannot give him the required information. I understand, however, that there are thirteen drills in the year.

Mr. HUME.—There are several Officers within the bar who are competent to answer the question.

The CHAIRMAN.—If the Court desires it, the Commanding Officer can be sent for, and he will enter into those details which it is out of my power to furnish.

General THORNTON.—I think it will answer the purpose of the hon. Proprietor, if any gentleman will state that the corps is properly disciplined.

The CHAIRMAN.—I believe there is no doubt of it; and if I thought otherwise, I would take steps to remedy the defect.

Here the conversation dropped.

#### HALF-YEARLY DIVIDEND.

The CHAIRMAN acquainted the Court that it was assembled to consider of a dividend on the capital stock of the Company, for the half year commencing on the 5th of July last, and ending on the 5th of January next. He then moved that the Court agree to the resolution of the Court of Directors, of the 20th of December, recommending the declaration of a dividend of 5½ per cent. on the Company's capital stock, for the half year commencing on the 5th of July last, and ending on the 5th of January next.

The DEPUTY-CHAIRMAN (Sir G. A. Robinson) seconded the motion.

Mr. HUME.—I beg to ask if that dividend arises from the commercial profits of the Company? And I would farther inquire, whether we have any recent accounts of the actual financial situation of India? At present we are quite in the dark as to the state of that country. The press is fettered; and the Governments abroad still continue to maintain a sullen silence. For that state of things, I impute great blame to the executive body. It is, however, understood, that the expense of the war in India has absorbed every shilling produced by the revenue; and I should like to have some statement of the situation of affairs there. I ask, what is the amount of the surplus revenue of last year, if indeed there be any? Next, what is the amount of the unfunded debt; and whether, after paying it, any thing will remain in your treasury? I expect an answer to these questions; and shall be glad to learn that your finances are in as prosperous a state as that in which they were left by your late Governor-General.

The CHAIRMAN.—The hon. Proprietor has asked several questions, which are easily answered. In the first place, he inquires what source the dividend comes from? It must be well known to the Proprietor, as to other members of that intelligent body, that it is derived from the commercial profits alone.<sup>(1)</sup> The hon. Proprietor knows this; and he also knows that the answer to his other questions are to be found in the statement of the Company's accounts, which is laid before Parliament once a-year.

Mr. HUME.—Yes; the statement of the former year,—of the year already gone by. But I wish to know what intelligence has been brought by the late arrivals. We are quite in the dark with respect to matters of the utmost moment. Are we not at the expense of several millions in carrying on a war, of the origin or progress of which we know little, and that little is disgraceful?

The CHAIRMAN.—There is a good deal to be done between the receipt of despatches and the arrangement of them, so as to enable me to make an accurate statement respecting them in this Court. It is a business that cannot be accomplished on the instant.

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(1) We should like to see this proved; but if so, it is so *solely* from the tea monopoly.

Mr. HUME.—I think what the hon. Chairman has said, is no answer at all to my question. I wish to know whether the balance-sheet, usually furnished by the Indian Government, has been received. In former years, other Governments were accustomed to send it home at this period. When we see what immense mischief has recently been produced in London by want of confidence; when we well know to what an extent want of confidence has arrived in India; when we are aware that it pervades all classes, from the highest to the lowest, in the civil, in the military, in the mercantile department; surely we ought to be informed what is the real state of affairs there. We ought to be told, whether, so far as the revenue is concerned, things were or were not going on well. The Directors may give me an answer or not, as it suits them; but I am sure that the means of giving an answer are in their power. I again ask, have the regular accounts been sent home? If not, the Government has been guilty of a culpable neglect.

The CHAIRMAN.—I hold in my hand the last account which has been sent home; but if the hon. Proprietor wishes me to go through every item of it, I cannot do it; and I think, in that case, he asks what is extremely unreasonable.

Mr. R. JACKSON.—I apprehend my hon. Friend only asks whether the usual papers have been sent home. You, Sir, much mistook him, if you suppose that my hon. Friend calls on you to enter into the minutiae of these accounts. He only wishes to be informed, aye or no, whether the usual papers have been transmitted.

Mr. HUME.—It is customary, on the 30th of April, in each year, to make up an account of the total disbursements and receipts for the preceding twelve months; which account is sent home, together with an estimate of the probable expense and revenue of the ensuing year. Now, I desire to know whether these customary documents have arrived in this country?

The DEPUTY CHAIRMAN.—We are in possession of the latest accounts which the Bengal Government could transmit to us, relative to the revenue; except there should happen to be any additional documents in the ship *Larkins*. We know she has on board the chief part of the despatches of the season, and that she put back, from stress of weather, in the month of May or June; but, so far as the Bengal Government could put us in possession of these documents, we are at present possessed of them.

Mr. HUME.—To what date?

The DEPUTY CHAIRMAN.—To the 1st of May, 1824; and it must be clear to every gentleman that it is not practicable to bring the balance-sheet to the 1st of May, 1825. The making up of the accounts, and the translation of them, require some time. There are probably additional papers in the *Larkins*; but I firmly believe there is no reason to censure the Bengal Government for not transmitting the proper accounts.

The Resolution, declaring a dividend of 5½ per cent. was then agreed to.

#### GRANT TO MR. SINDFORD ARNOT.

The CHAIRMAN.—I have to acquaint this Court, that it has been made special for the purpose of submitting for confirmation the resolution of the General Court of the 28th of September last, approving the resolution of the Court of Directors of the 14th of the same month, granting to Mr. S. Arnot the sum of 1500*l.* for the reasons therein stated. I now move that the Court confirm the resolution of the 28th of September last.

Mr. R. JACKSON.—As there was a great pressure of business before the Court when this subject was formerly introduced, the resolution passed *sub silentio*. I do not now rise, Sir, to oppose this grant, but, on the contrary, to state my cordial approbation of it; and I must say, that I view in a very gratifying light the terms in which the resolution is couched; because it does not call on either your Court, or the Court of Proprietors, to express any opinion with respect to the freedom of the press, or the conduct of the Government at Calcutta. It merely states that the boon is granted in consequence of the unlooked-for misfortunes to which this individual, banished, shipwrecked, and ruined, had been subjected. The Court of Directors, very

wisely, as I think, have thought proper to forego all discussion on the merits of Mr. Arnot's case; but, listening to the misfortunes of the individual, they had sympathized with him, and on that, and on no other ground, they had proposed this resolution. No man can estimate more highly than I do the liberty of the press. Indeed, not to estimate its benefits to the world and to this country in particular, would be to declare that one was not an Englishman.—(*Hear.*) But, Sir, in proportion as I prize it, so I would preserve it. I would always wish to see it flourish in its fullest extent *here*, and in the colonies I would allow it as far as it was consistent with their government, and with the safety of those to whom the blessing was meant to be conveyed. This principle I have always supported, and I always will support it. I am ever happy to see compassion shown towards those who may have suffered beyond what was intended or wished, and I am therefore glad that compassion has been extended to the case of Mr. Arnot, and shall cheerfully vote for the relief which is proposed.

Mr. D. KINNAIRD said, he never heard an elaborate and finished eulogium pronounced on the liberty of the press without feeling assured that it would end in the specification of some particular instance where that liberty was deemed to be of no use. When his learned Friend was pronouncing his panegyric, he (Mr. D. K.) understood what was to follow as well as if he had composed the speech himself. If his hon. Friend had not thought fit to state the grounds on which this becoming grant had been recommended by the Court of Directors, he (Mr. D. K.) would not have made the observations which he now deemed it necessary to make. He would briefly state the reasons which induced him to accede to this grant, and which were certainly different from those put forth in the resolution. He knew not why any mention should have been made of the press, since that subject was entirely distinct from the case of Mr. Arnot. The Bengal Government might have sent him away, and inflicted the same ill-treatment on him, situated as he was, whether he committed an offence through the medium of the press, or otherwise. In fact, his connexion with the press ceased the moment he was ordered to quit the country. The reason for which he would vote for this grant was, because Mr. Arnot had been cruelly used—had been treated with most unnecessary cruelty. He did not look at this grant as proceeding from compassion, but as that which was due to one who had suffered severe oppression. The resolution did not state this, and, therefore, did not meet with his undivided approbation: because, when an act of injustice was done by the agent or servant of an individual, or by the individual himself, and it was intended to make reparation, he thought that such reparation was not complete, unless it was accompanied by a true statement of the impression under which it was made. Though he meant to vote for this grant, he certainly would not vote for it on the grounds stated in the resolution. This matter, he repeated, was entirely unconnected with the question of the Indian press; because, as he before observed, if Mr. Arnot had committed any other offence, or any supposed offence, Lord Amherst's Government might have transmitted him in the same shameful manner to England. He admitted that the Indian Government had the power to do so, and that power had been wantonly, outrageously, and, he would say, illegally exercised.—(*Hear.*) This, and not compassion, was the ground for compensation. It had been assumed by the hon. Chairman's predecessor, that, because the Government of Bengal could thus perpetrate illegal acts, that, therefore, it was a legalized despotism; and then they were gravely told, that if any person were aggrieved, he had his remedy. He might, forsooth, appeal to the Privy Council. Now they knew that this was a mere farce; because the individual so appealing must prove malicious motives as well as injustice; and, if he could not prove malice, the injury that might be perpetrated through carelessness or want of judgment was passed over. The persons thus erring were shielded from all responsibility. Mr. Arnot was sent home from India to this country in a round-about and circuitous way, without any necessity being shown for taking such a course, and, he was convinced, it would not be contended that the law authorised any such thing. This individual had been a very severe sufferer, and

the Bengal Government had narrowly escaped being guilty of murder; for, had he perished in the ship *Fame*, the Government having, as I believe, most illegally forced him on board this vessel, which was to go round by Bencoolen, instead of sending him directly home, they would, by such illegal procedure, have been the guilty cause of Mr. Arnot's death. It was extremely wrong to blink the question as to the impropriety of the conduct of the Bengal Government. The moment the Court of Directors gave notice that the sufferings of Mr. Arnot were to be made the subject of compensation, he determined to make no observation on the individuals composing that Government, because he thought that there would be an indirect but severe censure passed on them in the resolution of the Court of Directors. He imagined that they would at least have said, "We will not again appeal to the pockets of the Proprietors at home to make reparation for the misconduct of our Governors abroad." But, as they had thought proper to bring in the Proprietors at large, as approving of the grounds on which they had stated this part to proceed, he, for one, must oppose those grounds; and he called upon the public for a direct dissent from the grant, with reference to the reasons stated for conceding it, and because the Bengal Government were shielded from that censure which they deserved. Of the grant itself he approved, though not of the grounds advanced by the Court of Directors; and God forbid that any comment which he had felt it necessary to make should induce any person to oppose the proposition. He certainly should vote for it, begging, however, distinctly to be understood as disapproving of the grounds to which the Court of Directors had improperly confined the resolution.

Dr. GILCHRIST.—Though I have not yet the right to vote upon the present or any other question, the privilege will no doubt be conceded to me of saying a few words on this painful theme. Even tardy and stinted justice being better than none at all, the hon. Directors are so far entitled to the cordial approbation of this Court for their merciful decision upon Mr. Arnot's cruel case. Had that unfortunate gentleman only possessed a convenient Scottish cousin in the Direction, his severe losses and sufferings would certainly have been more liberally viewed, through the medium of a *second sight*, which might have very conscientiously augmented the award to 3000*l.*, as a *generous compensation* for both pecuniary sacrifices and great mental distress. On such a heart-rending subject, I hope you will permit me to close these brief remarks with an appropriate Persian quotation from Sadec, the celebrated eastern moralist, when addressing an absolute prince on good government.

Ugur khwahee uz nekbukhtee nishan.  
Duri zoom bundee bur ulhi juhan.  
Riayut diregh qz rueyut mudar!  
Mooradi dili dad khahan buzar!

Which, for the sake of occidental ears, more numerous than oriental ones here, may be rendered in a free English-version thus—

Shouldst thou desire a monument, my son!  
Of fortune's smiles on earth, injustice shun;  
With patience hear the poorest who complain,  
Lest those oppressed invoke thy name in vain.  
Proud tyrants here, man's judge supreme will try,  
And spurn them too, when suppliants, from the sky.

Mr. HUME.—It was, Sir, my intention to suffer this vote to pass in silence, as I did on a previous occasion; not because I view it as a sufficient remuneration, but because partial justice to an oppressed individual, is better than none. My Learned Friend has, however, brought up the subject of the Press, and therefore I deem it necessary to offer a few remarks. I have always, and ever will, as long as I live, until the freedom of the Press be obtained, raise my voice in support of it. If any act can prove more mischievous than another to India, it is the enslaving of the press. While the press is in a state of thralldom, Governments abroad may secretly and securely inflict injustice on millions of miserable beings, who are under our sway. (Hear.) If we had not, in England, an opportunity, through the



press, of exposing the misdeeds of persons in power, our situation would be pitiable. If it were not for that mighty engine, we would become slaves, even in this country. This being the case, I will ask, whether we are acting as becomes us, when we deprive others of that freedom of the press which we ourselves prize as the greatest of blessings? I shall now advert to the case of Mr. Arnot, that victim of oppression—of relentless oppression—who has been hunted and persecuted almost to death. He was first taken up illegally; and I trust the day is not far distant, when your proceedings in this affair shall be laid before the public—when we shall see whether you, the Representatives of the Company, can sanction the military despotism established by my Lord Amherst. (Hear.) The memorial of Mr. Arnot, which is before you, states this important fact, that when he was arrested, and ordered to proceed to England, he declared, “I am not the Editor of this paper; I am not responsible for what has appeared in it; but I hereby give my solemn assurance to break off all connexion with it, and every other publication in the Company’s territories. There are many other unobjectionable modes of subsistence for me in this country, if I am suffered to remain in it. I came, as many hundreds of my countrymen have done, to earn an independence, and I thought that my talents would not only be useful to myself, but beneficial to my country. I am sorry that, by acting as Assistant Editor to a publication, I have given any cause of offence; but I shall follow this occupation no more.” Now, what was the cause of offence? Nothing more than a respectful allusion to Mr. Buckingham’s removal from India, for a few jocose remarks on the improper acts of persons in authority. Then, suddenly the Government pounce on him, and he is ordered to quit India. “You shall not remain here,” says my Lord Amherst. “Suffer me to continue,” entreats his victim; “I owe 8,000 rupees; and, if I am sent away, it will be most unjust towards my creditors.” I say, sir, if the sentiments of humanity ever wrought on the mind of man, they ought, on this occasion, to have operated on the heart of Lord Amherst. But the civil Government—mark, the civil Government—marched Mr. Arnot into a military prison, in the strong room of Fort William. There he remained, until a *Habeas Corpus* was sued out; when Sir Francis Macnaghten declared to the oppressor that his proceeding was illegal, and that he, as a British Judge, could not suffer this victim of persecution to be remanded to the cell, or dungeon, where Lord Amherst had confined him. His Lordship was indeed to blame, and he ought to be punished for his misconduct. The Government of this country had passed a severe censure on the Government of Ceylon, for seizing the person of Mr. Rosier under similar circumstances, and the same measure of justice ought to be meted out to Lord Amherst. I trust, by and by, when a formal appeal is made to the Proprietors of East India Stock, they will declare that millions of individuals shall not be placed under such a sway as this, where injustice and tyranny are allowed to run riot. After his liberation, Mr. Arnot retired to a foreign settlement. He renounces the press; he renounces his country; he gives up all his prospects; but this does not satisfy Lord Amherst, who continues to persecute him in the most implacable manner. His Lordship sends to the Military Governor of the foreign settlement, where Mr. Arnot is quietly residing, and demands him to be delivered up. He is therefore again seized, and immediately hurried on board the ship *Fame*. Such an act as this, sir, cannot be recognized by any law. Such a proceeding reflects eternal disgrace on the Military Governor who gave up Mr. Arnot. Here was persecution of the most malevolent kind, and the Court, as far as it has the power, is bound to repair the injury. What follows? The law says, the Governor-General shall send home any person, under the circumstances pointed out, in any of the Company’s ships, bound for England. It appears that there were twenty-five ships lying at the time in Calcutta river, nine of which were bound direct to England, and were ready to sail. Four or five of the captains of those nine vessels were willing to give Mr. Arnot a free passage home. Was it not reasonable that the Government should acquiesce in his desire, and suffer him to proceed by one of those ships direct to England, from which he had such kind and generous offers? Why

send him round to a place to which none were ever before transported, but convicts, and where, as Sir Stamford Raffles was empowered to detain the vessel for his own accommodation, she must remain for some time? Mr. Arnot's entreaties and representations were all in vain. He would not be allowed to proceed in any other vessel, but that which was going by the way of Bencoolen. We all know the unwholesomeness of that climate; and any person can easily imagine how detrimental it must be to a European constitution to be confined on ship-board for three or four months in such a place. This conduct proves to me, that Lord Amherst wished that Mr. Arnot should never go beyond Bencoolen. Now, I beg the Court to mark this extraordinary circumstance. Four or five different captains offered Mr. Arnot a free passage; but Lord Amherst preferred paying for one out of the public treasury. Have you asked Lord Amherst why he preferred paying the captain of the vessel which was to proceed to England by Bencoolen, a most circuitous route, the sum of 800 rupees, rather than suffer Mr. Arnot to proceed to England direct, without incurring any charge whatever? Since the time of Warren Hastings' administration, I have never heard of any act that equals this in dark deformity. But this is not the only act of his Lordship's administration that deserves reprobation. This is only one act out of fifty at which we ought to express our marked indignation. I wonder how so many men, collectively, they being individually excellent and estimable men, could approve of such misrule. I think, sir, that this vote is a proper one; and I have felt it necessary to state my reasons for supporting it, they being entirely different from those adopted by your Court.

Mr. LOWNDES.—Really, sir, I think the sending Mr. Arnot round by Bencoolen, is a circumstance that ought to be sifted into. We ought to know why or wherefore this course was taken; or, as the lawyers say, some gentleman ought to move for a rule to show cause. I wish to know who was the captain that received the 800 rupees. What is his name? and I would ask, whether he is a relation to any of your Directors? (2) He appears to have been employed merely to put money into his pocket. This part of the transaction undoubtedly stinks of corruption. (*Laughter.*) Permit me, sir, to say, that I admire liberty. It is with liberty, however, as with plants—it will not flourish in every soil. If we extend the same degree of liberty to our Eastern possessions, which we enjoy ourselves, the consequence must be, that we shall soon be kicked out of India. I would, therefore, allow but a moderate degree of liberty in that hot climate. What has occurred within the last twelve months, shows pretty plainly the corruption of the press, the benefits of which have been so much extolled. Within that period, we have become a nation of Jews, a nation of money-scrivener and jobbers, and all through the instrumentality of the press. (3) If I may believe Mr. Cobbett, those persons who write for the press, have supported all the recent absurd speculations to suit their own ends. Indeed he accuses almost all of them of receiving shares for puffing off those various Joint-Stock Companies. I think if Mr. Cobbett kept within due bounds, he would be a very useful man, for he exposes villany. (*Order, order.*) I am in order; but chaos, that is, disorder, has been produced by those new Companies. I cannot help expressing my indignation, when I see a humbug Quaker coming forward with what he denominates an Equitable Loan Company. (*Laughter.*) He strives to ruin a body of men who do not make more than 18 or 20 per cent., whilst, by his plan, he hopes to realize 100l. per cent. (*Order.*) Sir, I have a right to show what effects the liberty of the press has produced in this country. It is the press that has raised all

(2) A better explanation is, that he was the messmate or inmate of the Editor of the Indian 'John Bull,' through whom, perhaps, he obtained the patronage of one of the Secretaries to Government, as that inveterate enemy of the Editor of the 'Calcutta Journal,' and all his friends might be able to recommend Captain Young as a fit person to take charge of Mr. Arnot, and make him as unhappy as possible on the voyage, in which duty he was not found wanting.

(3) This is worthy of a genuine disciple of Cobbett.

this delusion, (4) and which now endeavours to increase the embarrassments of the country, instead of alleviating them. If the free press, in this cool climate, and under our excellent Constitution, can be made an engine of delusion and injustice, it will produce ten times more mischief in India; and I am sure that those who this day spoke in favour of a free press, would not, in their calmer moments, recommend it to be extended to that country. About a hundred years ago, a similar delusion prevailed. Then, however, there was but one bubble; but it is now a many-headed monster, and aptly illustrates the classic story; for, if you cut off one head, another immediately springs up. With regard to the sum of money voted to Mr. Arnot, I hope you have been actuated by a sense of justice. In my opinion, it is sufficient; and I think you would not have acted properly if you had not granted it. As to Mr. Arnot's continuing to reside in India, how could such a man procure his bread, if he were allowed to stay there, except by writing, privately or publicly? (5) He must continue to write, for he would have nothing to do with the drudgery of a merchant's office. I well know what the *cocoethes scribendi* is; and I am well convinced that a clever man, of a literary turn, cannot avoid writing. It seems that Mr. Arnot was offered, his passage home free of expense. The Captains who made the proposal, were, I suppose, the Commanders of free ships. Those free traders, I believe, wish to bring the Company's Government into contempt; (6) and, therefore, would most willingly take out, or bring home, any person, who wished to pursue the same course. But to return to the press. Those men whom that instrument had most seriously injured, were the very persons who saved this country from despotism—who defeated the machinations of Bonaparte.—(*Cries of Order.*) I know very well that when I mention that individual I give offence to some of those friends of freedom, who would say,

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(4) Then what was the cause of the delusion which prevailed in France regarding the schemes of the famous projector Law? Was this delusion, this ferment, this blind fury of speculation, a thousand times greater than ever prevailed in England—the bitter fruits of a free press? Were the French people cursed with these fatal effects of unlicensed printing under the *ancien regime* of the Bourbons. If not, how do men of sense suffer their understanding to be insulted with such chimerical solutions of the causes of the present financial difficulties. Surely it requires no witchcraft to discern, that a press which is free to tell the truth, is less likely to create delusion than a fettered one, which is compelled to suppress it. As an instance of this, we lately mentioned that the Indian papers, under the licensing system, were not allowed to state the real value of the public funds. How would Mr. Cobbert (or his admirer, Mr. Lowndes) like this mode of preventing delusion, if introduced in England? Indeed, they both know very well that the freedom of the press is the greatest enemy to delusion and the best friend to truth which exists among mankind.

(5) How do hundreds and thousands of others not only obtain their *bread*, (or their “*curree-bhat*” rather), but live in affluence, though neither licensed, covenanted, nor employed by the Company? But Mr. Lowndes ought not to have kept out of sight, that a most unobjectionable mode was pointed out to Government in which Mr. Arnot was to have employed himself, if allowed to remain in India. And when, in addition to this, he had both pledged his honour, and offered to bind himself, under a heavy penalty, it required, with competent securities for his good conduct in every respect, as well as to have no connexion with the press, it is neither handsome, nor decent, nor rational in any one to say, that in defiance of every obligation, the most sacred and binding, he would and could have done nothing else but write “publicly or privately.” If Mr. Lowndes, in saying this, judges others by himself, his character is not very enviable.

(6) Is it fair or justifiable to raise such charges on mere *supposition*? But it would be a more candid explanation of such a circumstance to suppose, that captains in the employ, or under the direct influence of the Company, dared not, however well disposed, to evince their generous sympathy for any one who was suffering under the persecution of the ruling powers, while free traders were at liberty to obey the dictates of humanity.

that, if Bonaparte's Government were at all despotic, it was a mild despotism. I am, myself, a whig in principle; but I felt it necessary to separate from those who so designated themselves, because I could not, in the same breath, drink success to the principles which placed the House of Brunswick on the throne of England, and prosperity to those pernicious principles which seated Bonaparte on the throne of France. I have heard Gentlemen talk a great deal about liberty; but when it was known that they had for years advocated the principles of such a man as Bonaparte, what confidence could be placed in the justice of their views? I am very much afraid that the liberty of the press, if extended to our Eastern Empire, would introduce an Indian Bonaparte, quite as dangerous to that country as the Corsican Bonaparte had been to Europe. But, as you wish for the salvation of your Eastern possessions—as you wish for the salvation of your servants there and here—as you wish for the welfare of the whole of the proprietors of India stock—act with firmness, and prevent the introduction of the liberty of the press, and with it an Indian Bonaparte, into your dominions.

Captain MAXFIELD.—As the Hon. Proprietor who has just addressed the Court, adverted to the delusion which the press has practised on the public mind, with respect to Joint Stock Companies, I beg leave to say, that our Indian press, fettered as it is in every other respect, has put forth the prospectus of a Joint Stock Company in India, of which it speaks in very flattering terms. It is under the management of Mr. Trotter, and has the decided support and approbation of the Government abroad. Whether it has met with your's, Mr. Chairman, I have yet to learn.

Mr. GAIAGAN.—I hope the hon. Chairman will not answer that question, which has been propounded both out of place and time. What has this Joint Stock Company to do with Mr. Arnot's case?—(*Hear.*) In the propriety of making a grant to Mr. Arnot I entirely concur, and I cordially agree in the sentiments of my hon. Friend (Mr. Hume) with respect to the treatment which that individual has received. The wretched executioner at Newgate, hardened as he must be, dismisses the poor sufferer from the world with as little pain as possible. But here is a Noble Lord inflicting every species of oppression on a defenceless individual, without one mitigating circumstance. If it were necessary that Mr. Arnot should be removed, surely it ought to be done in as humane a manner as could be devised. But, directly the contrary course was adopted here. This unfortunate gentleman, instead of being sent home direct, is put on board a vessel, which is to proceed to England by Beucoolen, and, in consequence, he has endured an accumulation of suffering. As this is the case, I agree to the grant, without any reference to the question of the press; and I am sorry that my learned Friend touched on that point, because it has led to this loose conversation, in the course of which (he will pardon me for saying so) the hon. Proprietor (Mr. Lowndes) has uttered a great deal of nonsense.

Mr. LOWNDES.—(*Apparently with great fervour.*)—I could not speak sense, when I was talking of nonsensical companies; and, no matter who may be displeased, I will always expose villany where I see it. I was truly amazed at the conduct of the individual to whom I before alluded, when he made an attempt to crush the pawnbrokers.—(*Cries of Order! Question! and Laughter.*) You may take my word for it, that man has the outward and visible sign of humanity, without the internal and spiritual grace.—(*Laughter.*)

Mr. R. JACKSON.—The documents to which my hon. Friend (Mr. Hume) has alluded, are not before the Court. Perhaps they will be hereafter, and, if the tale of distress which my Hon. Friend has related is borne out by them, it is still open to us to investigate, and, if there be cause for it, to punish. But still I approve of the resolution as framed by the Court of Directors, and to that alone I applied myself. The papers are before them, and in their report they state—"That in the month of December, 1823, Mr. Arnot was sent on board the *Fame*, at Calcutta. That on the 2nd of February, the vessel was destroyed by fire; and he lost the whole of his property by that disaster, and was obliged to return to Calcutta, by which he incurred a considerable additional expense. Under these circumstances, and in consideration of the

severe losses he had sustained, the Court of Directors recommend it to the Court of Proprietors to compensate him, *for the present*, by a grant of £1500." Thus allowing that investigation into the cause of his misfortunes *might yet take place*; and certainly it is open to us to canvass the whole of the matter when the documents are before the Court. Inasmuch as no question, but the limited one which I have stated, is comprised in the resolution, I deemed it right strictly to confine myself to that limited question.

MR. HUME.—The documents prove clearly that Mr. Arnot was treated with undue severity. In one of his letters he exclaims, while overwhelmed with the recollection of his sufferings, "Gracious God! what have I done that all this vengeance should be discharged on my devoted head?"

THE CHAIRMAN.—After what has been said, I beg leave to make a remark or two. In this case an unlicensed person was removed from India, by the Governor-General, under the power which he legally possesses. It was considered, whether that removal was executed in the most convenient manner, and it was found that it might have been carried into effect with greater convenience to the individual. Captain Young (I state the name, as an hon. Proprietor has called for it) sailed in the *Fame*, which vessel was burned, and Mr. Arnot lost his property. In consequence of the many sufferings of that individual, we felt for his situation, and wished to relieve it. I took great pains to inquire into the facts of the case, and found it to be one which deserved our attention. As far as I have observed, Mr. Arnot conducted himself with great propriety. Ultimately the Court of Directors thought it right to come to the present resolution, by which the sum of £1500 is bestowed on him, in consequence of the inconvenience he has suffered, and the losses he has sustained. For my part, I am sure I agree to it with all my heart.

The resolution was then confirmed unanimously.

#### INSTRUCTION IN HINDOOSTANNEE.

THE CHAIRMAN.—An Hon. Proprietor (General Thornton) gave notice at the last general Court, that he would, at the present Court, move a resolution respecting the propriety of examining certain classes of individuals as to their knowledge of the Hindoostannee, prior to their going out to India; and since that time a requisition, calling for a special Court, to consider the same subject, had been presented to the Court of Directors. As the propositions are similar, they might both be disposed of by one debate, and thus the time of the Court would be saved.

MR. HUME.—I wish the two motions to be kept separate.

General THORNTON expressed his readiness to withdraw his notice, as the question would be brought forward much better by the two gentlemen (Mr. Hume and Dr. Gilchrist) who signed the requisition, and who, having been long in India, were more competent judges of the question than he was.

General THORNTON's notice was then withdrawn.

#### THE COMPANY'S SHIPPING.

THE CHAIRMAN.—Another Hon. Proprietor (Captain Maxfield) gave notice, at the last general Court, that he would, at the present Court, submit a resolution for papers relative to the rates of tonnage of the Company's chartered and unchartered ships to India and China; and also as to the mode of auditing and keeping the accounts. The Court was now ready to entertain the motion.

Captain MAXFIELD.—The motion of which he had given notice, it would be perceived, embraced two points; but, for the sake of brevity and clearness, he would only touch upon the shipping question. In addressing the Court on a subject of so much importance, he regretted exceedingly that it had not been placed in the hands of some individual, whose abilities would have enabled him effectually to expose the evils of the present system, and to introduce another that might prove more beneficial to the public and the Company; by which means they might, when their charter came to be renewed, successfully combat the opposition of numbers who were injured by the operation of the system as it at present stood. He was induced to agitate

this question, in the hope that others would come forward and aid in the inquiry, so that their joint labours might tend to produce those advantages which were so much to be desired, but which the public did not enjoy at present. It was so customary a matter to laud the servants of the Company, that he could scarcely expect to obtain a patient hearing, if he said any thing that in the least savoured of a doubt of their abilities. It unfortunately happened, that the interest of some, and the indolence of others, operated against investigations of this kind. A feeling was entertained that nothing could be done to increase the Company's dividends, or by judicious retrenchment to add to their wealth, and, therefore, no operation for that purpose was attempted. If he had but one vote in that Court he might perhaps he thought presumptuous in bringing this great question forward. But he had long been a proprietor of three votes, and a short time since, he possessed stock sufficient to claim a fourth. He stated this to show, that his interests were deeply concerned, and closely identified with those of the Proprietors at large. He had nothing to do with the shipping interest of this country—he never had—and most probably never would; but still he felt very deeply and sincerely for the shipping interest of the Company, and he would serve it far as lay in his power. The Company were at present engaged in an unprofitable war, and he knew not how it would ultimately pay them. But if the war terminated at this moment, the expense which had been even now incurred was such as to require the Government, most imperatively, to retrench in every possible way, without impairing those establishments which were essential to the safety of the Company. He might be reminded, that economy had always been their maxim. He believed that was the fact; but it had been most frequently seen to operate where it could not be practised without materially injuring the efficiency of important establishments, while it was neglected in others where it might be introduced with effect. He alluded particularly to the army. He would not illustrate this position by invidiously comparing the scale of pay and pensions for the civil and military servants of the Company; though, at some future period, that might be a proper subject for consideration. On this occasion, he was only desirous of assisting in the laudable object of promoting economy in those departments, the organization of which appeared to be faulty. The absurd attempts made by some of the governments abroad to economize, and which arose either from the orders of the executive body, or from the officiousness of public servants, had often excited his surprise. For instance, their respectable Superintendent of Marine, at Bombay, allowed the Company's cruisers to be hired, and the treasury was, in consequence, enriched to the amount of 150 rupees. (*A laugh.*) This did not occur under their present amiable and intelligent Governor; but it really did happen in the time of Sir Evan Nepean. One of their cruisers, the *Vestal*, was so stuffed with bales by an Armenian merchant, that scarcely any room was left for provisions and stores; and, for the use of the vessel, government received 150 rupees. The only two cruisers in their service, which were employed in making an impression on the strong-holds of the pirates in the Persian Gulf, had, from motives of economy, he supposed, been withdrawn. And what was the consequence? The pirates increased in strength, and it cost 150 lacs of rupees, or, £1,800,000 sterling to check their growth. The interest of that sum, prudently applied, would be sufficient to put down effectually bands of pirates far more numerous and formidable than they were. When the Company's concerns were in their infancy, the Dutch, Portuguese, and other freebooters, attacked and molested their trade. The Company armed their traders, and effectually protected their property; and those enemies he had alluded to quickly disappeared. Those ships answered, while they only maintained the respectable character of merchants; but since they had arrived at a higher dignity, and became sovereigns, a different system was pursued. Still, however great the change which had taken place, they ought to consult their commercial interests. Now it was generally believed that they carried on a losing trade with India. He could not state this from the result of one year; but he was convinced that, if a

series of years were taken, sufficient evidence could be adduced to substantiate the fact. They were a Company of merchants, expressly incorporated for commercial purposes, and they must either carry on their trade like merchants, or they must expect to lose by it. No individual merchant could hope to carry on the India trade, as they did, contending against high freights and bad bargains; and he was convinced they could not carry it on themselves, if it were not bolstered up by the profitable trade to China. He was well aware, that the import trade of China was of high profit; but it might be made much more so, at the same time that the public would be benefited, by affording tea at moderate prices. If this were done, it would be a strong reason in favour of the renewal of the charter, and the possession of the exclusive trade to China; because it would show that the Company thought of the public interest as much as they did of their own. To effect this object, however, they must not conduct themselves as they had hitherto done; their ships must be fitted as merchantmen, and as merchantmen alone. He held in high estimation the abilities of the officers on board the Company's ships, and he admitted that the vessels were of a very fine class; but it struck him that they were not well suited to commercial purposes. The guns were occasionally used in time of war—in time of peace they were useless. They greatly increased the expense of outfit; and, if they looked to one of those vessels which carried forty guns, they would find, that the number of men bore no proportion to the number of guns. He had been induced to attribute the loss of many of the Company's ships solely to the number of guns which they carried. This position he could exemplify by pointing out instances where country ships had weathered violent gales, while vessels belonging to the Company had foundered. Now, if country ships could ride out those gales which proved so disastrous to the vessels of the Company, was it not a clear proof that the guns of the latter were the occasion of those disasters. The *Devonshire* East Indiaman was lost, some years ago, solely in consequence of her having these guns on board. He was, at the time, riding near her, in one of the Company's miserable Pilot schooners. The gale was a regular north-wester, which gave notice of its approach an hour before it burst forth. His vessel rode out the storm, while they saw the stately *Devonshire*, with her guns and lofty masts, sink to the bottom. This was sufficient to show the folly of having guns on board. Then came the question, what advantage did the Company gain by this system, in a commercial point of view? An answer to that query would be found in the rates of insurance at Lloyd's. If they inquired there, they would learn, that insurances could be effected on good British ships, class A. for nearly as little as was demanded for the Company's large ships. The useless expense of outfit in the Company's ships, was prejudicial both to them and to the British public, because it prevented the Company from selling the produce imported at a low rate; and it was a necessary consequence, that the Americans and others beat them in the foreign market. During the war, some of their ships were taken up at the enormous rate of 44*l.* per ton; and yet they must be aware that, on sailing from Bombay, they were not more than one third laden. The rest of the freight became an immense source of profit to the commanders. That part of the system, however, did not, he understood, exist at present. At one period, when very anti-commercial notions prevailed at Bombay, the Company received a large consignment of cottons from Georgia. Was it not to be supposed, that a part of this consignment would be sent to China, in payment for tea? But, instead of that, it was sold to the commanders of the Company's ships, and was to be paid for at China. They carried it there on board the Company's vessels, and undersold them in the market. Yet, even at that very time, despatches were carried out, ordering the strictest economy to be observed in the military department. Since the peace, a great reduction had been made in the rate of freight; but it was perfectly evident, that a greater reduction might still take place, and that the commerce of the Company might be carried on like the commerce of any other body of mercantile people. He certainly saw no advantage that could be derived from the course now adopted. After what he had said, he need not apprize the proprietors

that he did not entertain the least idea of the manner in which their marine affairs, or their commerce, were conducted. He had been for twenty-four years in their marine service, and, therefore, was competent to judge of the system which prevailed in that department. The comparative excellence of their army in India, was owing to the attention that had been paid to it. The praiseworthy zeal of some of the hon. Chairman's colleagues, the fostering care of the late Lord Melville, and the judicious arrangements of the Duke of York, had raised the army to a lofty eminence. Part, however, of the Company's service was so mismanaged, that it was a useless burden to the state, and a disgrace to those who should render it efficient. Let the Court look, for instance, to the Bombay marine. It might be stated, that it was so insignificant as not to deserve a thought. But, when he saw a superintendent receiving upwards of a lac of rupees per ann., a salary larger than that given to a First Lord of the Admiralty, he thought it was a subject worth noticing. If it were so insignificant a matter, why should such an expense be incurred? If he recollected rightly, it was said, at the time of the renewal of the charter, that this insignificant corps was sufficient to guard that part of the Company's territories; and that, therefore, the Company ought not to be charged any thing for the service of the King's ships in those seas. This appeared rather inconsistent with the declaration of insignificance, to which he had before alluded. The customs, the revenue, and the judicial branches of the Company's service, also demanded investigation and reform. (*Hear.*) The objects to which he had ventured to direct the attention of the Court, were of very grave importance; and, though he might appear rather too sanguine to some persons, yet he thought that, by retrenching the civil expenditure in China, a saving not of 150 rupees, but of 300,000*l.* per annum, might be made. Convinced that his opinions were well-founded, and thanking the Court for their indulgence, he should conclude by moving,

"That there be laid before this Court a statement, exhibiting the name, number, and tonnage, of all ships now chartered by this Company, with the rates of tonnage, the number of voyages for which they are engaged, the names of the owners, and the time when engaged: also a list of ships of the Company purchased for India and China, the time when purchased, the price paid for the same, and the expense of repairs, &c. during the time they have been engaged."

MR. HUME.—I wish, Sir, to second this motion. The father of my hon. Friend near me, (Mr. Kinnaird,) and my learned Friend (Mr. Jackson,) laboured for many years to reform the shipping system. Their exertions brought it what it is; and, even though it may be now defective, it is certainly much better than it formerly was. I also have paid much attention to this subject; and, at a time when I had not the honour of a seat in Parliament, I joined with others in petitioning the legislature for a revision of the shipping system. Reasons were stated by us for altering the system, which appear to me to have been unanswerable; but our request was refused. I do not think Parliament acted properly on that occasion. The real interest of the East India Company is the interest of the empire; and when we are called on to pay a large tax on tea to keep up useless extravagance, all those who do not complain of it are greatly to blame. If the hon. Mover had been in the Court in 1813, 1816, and 1817, he would have found me endeavouring to check the grant of money to owners of vessels, who complained of having entered into imprudent contracts. Parliament was applied to, and, with their permission, increased rates were given to those owners whose complaints had been previously discussed in this Court. What was my proposition at that time? Instead of saying, that the owners should go on until they encountered utter ruin, my advice was, "Reduce your equipments, and then you can proceed profitably." If the hon. Proprietor had been in the Court at that period, he would have found the majority of those who voted on the question were either ship-owners or ship-builders. I made the best stand I could, with a few friends around me, against any interference with the existing contracts, but my efforts were not successful. If any thing can rise up against the Company as matter of just censure, it is their lavish expenditure in freight.



They are paying enormously, while every person is aware that ships may be freighted at 10*l.* 11*l.* or 12*l.* per ton. In 1813, I stood up in my place in this Court, and said, that, if we had peace, the rate of freight would fall to 12*l.* per ton. This was laughed at. I was considered as an enthusiast—as a person beside myself. And yet it turned out that I was right. We take, as the hon. Mover said, great credit to ourselves for good management; but I cannot see that good management is displayed in taking up ships at 26*l.* 5*s.* per ton, not for three voyages, but for five or six voyages, which was equal to nine or ten years. What did the Company do in the last year? They hired vessels in London, sent them to China, had them loaded there with tea, which was carried to North America; and this was done for 11*l.* per ton, while, upon other contracts, they were actually paying 26*l.* 5*s.* per ton. I could show, that, in the course of the war, from 50*l.* to 55*l.* per ton was paid. Part of this certainly arose from demurrage, which was, indeed, on account of the present system, sometimes unavoidable.

Mr. WALKER said, that, in 1819, not a ship in the service of the Company was paid for at the rate of 26*l.* per ton. In 1823, there was one at 21*l.* per ton, a second at 21*l.* 8*s.*, and a third at 21*l.* 7*s.* 6*d.* The hon. Proprietor had made the rates too high.

Mr. HUME said, it pleased him to find that the rate of freight was even a few pounds less than he had supposed it to be. But it could not escape notice, that ships might be, and were freighted last year by others so low as 9*l.* 10*s.* per ton, which was widely different from 21*l.*, the rate paid by the Company.

The CHAIRMAN said, in proposing this motion, the hon. Proprietor had gone over a great variety of matters, which he did not mean to discuss. If any subject had been more frequently considered in this Court than another, the present certainly was that subject; and he was inclined to think, considering all the circumstances of the case—looking to the situation in which the East India Company stood, working in a double capacity—that the description of shipping, adverted to by the hon. Proprietor, and not approved of by him, would, after all, be found the most applicable to the Company's service. He, however, had no objection that the Proprietors should have the fullest information on the subject; and, therefore, he would not resist the motion. (*Hear, hear.*)

Mr. HUME.—The object of the Court, which is to obtain full information on the subject, will not be attained, unless an addition be made, requiring to know the rate of freightage for single vessels.

Mr. LOWNDES observed, that as gratitude was a predominant feeling in his bosom, he hoped that he might be allowed to say a few words on the subject. It ought to be considered, that during war there existed a larger assortment of vessels than during peace. He thought, that those who built ships should be allowed time to wear them out. (7) An honest liberality was always the best policy. The gallant captain had made a most excellent speech, but he begged to point out one little error in it. He perfectly well remembered that, during hostilities, Indiamen were turned into men-of-war, and made a most glorious stand against the French men-of-war. But, to return to the question of gratitude, he would recommend to his hon. Friend, Mr. Hume, who he believed had done more service to the country than any man alive, that on some occasions economy was better left alone. He had on every occasion resisted his hon. Friend's economical propositions with respect to the army and navy. He believed that the distress which existed at the present moment was owing to the want of national gratitude to the army and navy. The conduct of the British nation towards her officers was a blot on her character—(*Interruption.*)

Mr. KINNAIRD begged to remind the hon. Proprietor that his remarks did not bear on any question before the Court.

Mr. LOWNDES could not see why he should not be allowed to launch out as well as the hon. Proprietor himself. When he considered the difference between

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(7) They may do so by employing them in some other trade.

his politics and those of the hon. Proprietor, he was not much surprised that he interrupted him in his eulogium on the army. He felt great respect for the good sense of the hon. Proprietor, but he knew that party feeling would carry him great lengths.—[Here the hon. Gentleman divaricated into a story about shilling whist, but the noise in the Court was too great to permit us to catch a word of what he said. After considerable exertion to be heard, he resumed his seat, finding that the Court would not waste its time any longer listening to him.]

The CHAIRMAN.—I wish to know whether the hon. Proprietor (Mr. Hume) has any addition to make to the motion before the Court?

Mr. HUME.—I move that these words be added to the motion: "Also a statement of the rate of freight paid for one or more vessel or vessels hired since 1813, and not now employed, with the number of tons, the names of the owners, and the destination and voyage of each ship; and also whether they were hired by public or private contract, with the date of such contract."

The CHAIRMAN put the motion with the addition proposed by Mr. Hume, and it was agreed to.

QUESTION OF FORM.

The CHAIRMAN informed the Court, that the Court was made special in pursuance of the following requisition:—

"That there be laid before this Court Copies of all Correspondence between the Court of Directors and Mr. J. S. Buckingham, late Proprietor of the Calcutta Journal, respecting his claims for reparation of the injury sustained by his property in Calcutta, in consequence of the measures of the Bengal Government."

"Also, Copies of all Proceedings of the Bengal Government referred to in the Correspondence before named."

Mr. HUME.—Before I touch upon the subject which has just been introduced to the notice of the Court, I wish to make some observations upon a subject which I consider of considerable importance. I have signed three requisitions which I sent into the Court of Directors, intending to bring three separate subjects under your notice. One of these requisitions has just been stated to you; another related to cadets proceeding to India without a knowledge of the native languages; and the third was a requisition that the Court might be made special for the purpose of taking into consideration the present state of affairs in India, and of recommending to the Court of Directors the propriety of recalling Lord Amherst. Every body must be aware, that, by act of Parliament, there were four special Quarterly Courts in every year, which it is not in the power of the Court of Directors or of Proprietors to waive. It is also provided by Act of Parliament, that at such Quarterly Courts any subject which any Proprietor might think of importance to the interests of India might be brought forward and discussed. The same Act declares, that the Court of Directors were bound at any time to call a General Court upon receiving a requisition, signed by nine Proprietors, to discuss any matter which such Proprietors might deem proper to be discussed. It has been the practice, since I had any thing to do with this Court, for any Proprietor to notice at Quarterly Courts any subject he pleased; but it has been considered right, as a matter of courtesy, though not required by Act of Parliament, that when any subject of importance was intended to be discussed, in which it was supposed the Proprietors at large would take an interest, to give notice that such and such motions would be submitted to the Court. In a case of this kind, it is the usual practice for two Proprietors to address a requisition to the Court of Directors, praying the Quarterly Court might be made farther special for the purpose of considering the intended motion. I never till the present time knew any attempts on the part of the Court of Directors to deprive Proprietors of this privilege. It must be evident to every one who thinks on the subject, that it is a great advantage to the mass of Proprietors to know what subjects are to be brought forward at a Quarterly Court; but if it be in the power of the Court of Directors to publish what notices they please, and

keep back others, they take upon themselves to mark out some subjects as deserving of attention, and withhold that distinction from others. The same practice which this Court has followed is observed in the House of Commons. Any Member, who may catch the Speaker's eye, is entitled to submit what motion he pleases to the House; but it has for ages been the practice to give notice of the intention to bring forward any question of importance, both for the convenience of business and for the information of those parties who are likely to take part in the discussion. I have been now for nearly eighteen years a Proprietor, and not an inconsiderable actor in this Court, and during that time I do not recollect any instance of a refusal on the part of the Court of Directors such as that which I am about to state. I have at different Quarterly Courts introduced subjects of considerable importance, of which there had not been time to give notice. In this way I have, on two separate occasions, called the attention of the Court to the present state of India, and have censured the measures of Lord Amherst's administration. On each occasion, the Chairman appealed to me in this way—"Would you," said he, "bring forward a question of so much importance without *due* consideration? Will it be creditable to you, and will those who wish to take part in the discussion be prepared to do so? To bring forward a question of this nature without *due* notice, is an act of injustice, of which I hope you are not capable!"—This was the sort of appeal which was made to me, and to which I yielded. Two Courts have passed by since I declared my intention to submit a motion for the removal of Lord Amherst from the head of the Indian Government. Having given such an intimation, I would have been warranted, without any further notice on the subject, in bringing forward my motion on the present occasion. What, therefore, am I to say of, or how am I to account for, the conduct of the Court of Directors on the present occasion? On the 8th inst., I sent a requisition to the Court of Directors, requesting that they would make this Quarterly Court special, "for the purpose of taking into consideration the following proposition: That the Court of Proprietors, duly considering the present situation of affairs in India, recommend to the consideration of the Court of Directors, the propriety and necessity of immediately recalling Lord Amherst." Of the importance of that proposition, the Court is able to form its own opinion; but I think that if there be any one question which more than another requires conformity with the usual practice of giving notice to the Proprietors, it is this very question. Let us see, however, what the Court of Directors did on the subject. On the 14th inst. they sent me a letter, through their Secretary, in which that officer states, that he was ordered to inform me, by the Court of Directors, that they did not deem it expedient to make the Court of Proprietors special for the purpose stated in my letter; and, at the same time, he was directed to remind me, that as the Court about to be held was a General Quarterly Court, any motion might be brought forward without the Court being made special, and without previous notice. I submit to hon. Gentlemen, whether any thing can be more conducive to the dispatch of business, than that due public notice should be given of every important question intended to be brought forward in this Court, in order that we may come prepared to discuss it. What will be the result, if the Court of Directors think proper to give notice of questions of minor importance—the motion respecting Mr. Buckingham, though of vast importance to him, is certainly of minor importance to one in which the general interests of India are involved—and refuse to do so with respect to a question of the most vital interest? Is it right that the Proprietors should be suffered to remain in ignorance that such a question as that which I have described was to be brought forward? I think it is proper that the Chairman should, before I proceed with my motion, state the reasons which have induced the Court of Directors to deviate on the present occasion from the usual courtesy and practice.—(*Hear.*)

The CHAIRMAN.—If I understand the hon. Gentleman right, he wishes to know what is the cause of the distinction made with respect to the different notices of motions which he sent into the Court of Directors. The practice of

advertising the notices of motions is one of mere choice, in which the Court of Directors are at all times happy to meet the wishes of Proprietors; but, with respect to the notice referred to by the hon. Proprietor, the Court of Directors, considering that it related to the high and important office of Governor-General in India, and that it might, if published, arrive in India before the discussion took place; and there, where public opinion had great weight, produce, whilst a war was raging, an effect prejudicial to the Company's affairs, took upon themselves the responsibility of saying, that they did not deem it expedient to advertise it. (*Hear, hear.*) The Court of Directors have taken this responsibility on themselves, and it is for the Court to decide whether they have acted wisely and judiciously. (*Hear.*)

Sir C. FORBES.—I have one observation to make on this subject.

The CHAIRMAN.—I beg the hon. Baronet to desist: there is no question before the Court.

Mr. HUME.—Any Proprietor has a right, in my opinion, to address the Court on a point of form. But if it be necessary to raise a question, of course I could easily do so, in a single moment, by moving a vote of censure on the Court of Directors!

The CHAIRMAN.—I think this conversation ought not to go on. The threat which the hon. Proprietor holds out, of moving a vote of censure, will not induce me to alter my opinion.

Mr. KINNAIRD.—I am sure my hon. Friend meant nothing offensive to the Court of Directors: he merely intended to show that it would be competent to him to raise a question, upon which discussion might take place in an instant. The object of my hon. Friend, in bringing this matter forward, is to ascertain whether, hereafter, the Court of Directors would have it in their power to withhold public notice of particular motions. I think the hon. Baronet has a right to speak on the question of form; besides, it is possible that he may have some motion to submit.

The CHAIRMAN.—My object in stopping the worthy Baronet (Sir C. Forbes) was only to save time. There is no question before the Court, and the subject which has been alluded to is merely a question of discretion on the part of the Court of Directors.

Sir C. FORBES.—Sir, understanding that a requisition had been sent unto the Court of Directors to the effect stated by my hon. Friend, I hastened up from Scotland to be present. So far am I from thinking that the publication of the requisition would have been prejudicial, that I believe it would have been attended with the most happy effects.

Mr. LOWNDES.—Sir, I beg leave to observe that, judging from what is said of the despotism of the Indian Government, it is fortunate for Mr. Buckingham that he is not now in that country. If he were, the order of the day would be

“ ————— Off with his head! —  
So much for Buckingham.”

Here the matter rested.

#### CASE OF MR. STRACHAN.

Mr. STRACHAN.—In rising to address this Court, I hope I do not infringe on the order of proceeding. I should be sorry to do so. I am an individual entitled to the rank of Lieut.-Colonel in the Company's service. I am not unknown to Mr. Astell, to whom I stated my case sixteen years ago, when he was Chairman of the Company. From that time I have not had an opportunity of making my wrongs known till this day, when the oppressive conduct of your Governments in India has been brought under discussion.

The CHAIRMAN.—The hon. Proprietor (Mr. Hume) is in possession of the Court.

Mr. W. HUME.—I willingly waive my right of precedence.

Mr. STRACHAN.—I throw myself on the indulgence of the Court. If I do wrong, let me be put down.

Mr. WIGRAM.—I rise to order. If the hon. Gentleman intends to detail what he considers his grievances, without submitting any motion on the sub-

ject, I appeal to the Court whether it is not a most inconvenient and irregular proceeding. If the hon. Gentleman has any complaint to make, he can address the Court of Directors; or if he has a motion to submit, he is in order; but otherwise, the course he is pursuing is disorderly and very inconvenient.

Mr. STRACHAN.—I am prepared with a motion, and it is, That Lieut.-Col. late Lieut. Strachan, of the Bombay military establishment, be restored to his rank and arrears of pay up to the present time; and that all papers and correspondence with the Court of Directors, together with all correspondence with the constituted authorities in India, be forthwith laid upon the table of this Court. I will, if I am permitted, state my case to the Court: I embarked for India, as a cadet, in 1799, and arrived there in 1800. I served for three years on the Coast of Malabar, where I lost my health, and, in consequence, came home on a sick certificate. I was scarcely recovered before I proceeded to India again. I was subjected to the extortion of the captain who took me out, who demanded eighty guineas more for my passage-money than the sum prescribed by the Court of Directors. I resisted this exorbitant demand, as I would that of a highwayman. For my conduct I was subjected to much persecution on board the ship, and I was afterwards tried on a charge, preferred by the captain, of a most disgraceful nature, but which I will not mention, lest I offend chaste ears. An honourable acquittal, however, preserved my character from the foul stain attempted to be cast upon it. The Commander-in-Chief, too, refused to detain the captain till I and others could make good our charges against this enormous freebooter. This was the commencement of my misfortunes, which have ruined my prospects in life. I have for years struggled with penury, and have had no other support than that which I derived from my ten fingers; for though I have rich relations, they would not condescend to assist me. I was nine years in command of a company of Native infantry, and have held several important commands. I was appointed, at the head of 300 troops, to take charge of the province of Ahmednuggar, with the fortress. During this period I conducted myself to the satisfaction of my commanding officer, General Lawrence. But yet I was consigned to persecution; I was fated to be marked out for it, because I showed a disposition to reform abuses, by resisting the unjust claim of the captain for eighty guineas more than his due. I continued for five years longer performing actual service in the field, by which my health was impaired. My constitution began to break, and I could no longer hold up under my fatiguing duty. The certificates of my illness should now be lying on the table of the Court of Directors, if time have not obliterated them. I have scarcely recovered my health even at the present hour. At length, on the march of the battalion to which I belonged, from Poonah to Surat, I was put under arrest by my commanding officer, for neglect of orders in not attending parade, when, at the very time, he had a surgeon's certificate of my illness and inability to attend to any duty. I was so ill that I was obliged to be carried on my bed, by four coolies, a distance of 150 miles, who, if they chose, might have laid me down on the road side to die. My commanding officer, in conjunction with Major-General Jones, brought me to a court martial. The charges preferred against me are, on the face of them, arbitrary and oppressive. Knowing them to be so, I charged my commanding officer with arbitrary and oppressive conduct, in preferring such charges against me for absenting myself from parade, when he knew I was prevented from attending to my duty by sickness. My complaint was not listened to; I was cashiered, and sent to this country. The parades which I was required to attend were not parades of exercise in an enemy's country: it was merely a scheme formed to crush me. My enemies could not attack me whilst I was well: they took the opportunity of doing so during my sickness. I brought a charge of subornation of perjury against my persecutors. I was sent on board a ship from Bombay, where I was treated like a felon. I was compelled to sleep on deck; not being suffered to go below. At the Cape of Good Hope I went on board of a French Prize, to the captain of which I am indebted for my passage home, and for many kind attentions, for which I regret that I have never been able to make any compensation to this benevolent foreigner, who made me again feel the blessings of humanity. On my

arrival in this country I laid my case before Mr. Astell, who told me that if I would acknowledge that I had been guilty of disobedience of orders, he would restore me to my rank. I replied that it was impossible for me to make such an acknowledgment, and I was so shocked at the proposition that I never appeared before that gentleman again. I throw myself on the generosity of the Court, and trust that they will institute an inquiry into my case. There are many of my brother officers in England who can bear witness to the rancorous spirit of persecution with which I have been assailed. I could dilate on this subject till twelve o'clock at night, but I will not longer occupy the time of the Court. You have conceded me a hearing, and I will not abuse your kindness. I claim the rank of a field-officer in the Company's service. In consequence of my rights being withheld from me I have often wanted the necessaries of life. My relations refused even to advance me the small sum necessary to enable me to print my case in twelve little pages. I will not say more. I am already overwhelmed by the kindness you have shown me in granting me this hearing. (*Hear, hear, hear.*)

Col. LUSHINGTON.—Without being acquainted with a single circumstance of the gentleman's case who has just addressed the Court, I rise to observe that he has mentioned one fact which ought in itself to induce us to abstain from proceeding any further in the business. The gentleman stated that he was tried by a court martial. If this Court is to be made a court of appeal from courts martial, I know not where our labours will end. I recommend the hon. Gentleman to place his case in the hands of the Court of Directors. This Court cannot consider it.

Mr. ASTELL.—The Court will expect that, circumstanced as I am, I should claim your indulgence for a few moments, but you cannot expect that I should enter into the case which has just been laid before you. It is fourteen years ago since I first filled the office of Chairman; and I hope I did then, as I wish to do always, discharge the duties of my office with impartiality.—(*Hear.*) I cannot charge my memory with the name, still less can I recollect the person, of the gentleman who has addressed you; but I think there is one point on which he has committed himself. He states that he was tried by a court-martial, that he represented his case to me, and that not being willing to accept the indulgence which I offered him, he left me, and never favoured me with his presence again. If this Court sets itself up as a Court of Appeal from courts-martial, there never will be an end of our labours. Every fact which this gentleman has now stated, was no doubt stated upon his trial. He has not ventured to say that he did not receive a fair and impartial trial. I think, therefore, that we have heard enough from the gentleman himself to induce us to decline all interference in his case.

Mr. HUME.—I think that this Court ought to be a place of appeal against any authority whatever. This Court receives appeals from civil Courts, and why not from military ones. I hope the time will never come, when we shall bow our necks to military despotism. From the language of the two honourable Gentlemen who spoke last, it would appear that the decision of courts-martial was to be considered final. He would recommend the Chairman to look over the records of the Company, and see how many cases there were of officers who had been convicted by courts-martial of disgraceful conduct, and that, too, in the presence of the enemy, and who, nevertheless, had been restored to their rank. Let not the Court run away with the idea that, because an individual has been declared guilty by a court-martial, the gates of mercy ought therefore to be closed against him. The ink is scarcely dry with which twenty-four Directors have signed the pardon of sixty-five soldiers sentenced to be hanged by a court-martial. Why, then, should not this gentleman's case be entertained? I hope that when an act of oppression is complained of, this Court will put themselves in the situation of the suffering individual, and will, as far as is consistent with the good of the service, lean where they can to the side of mercy.

Sir G. ROBINSON.—I did not understand any one to say that the case stated by the hon. Gentleman was not one that ought to be considered. All that the hon. Proprietor on the other side of the Court had said was, that the Court

of Proprietors was not competent to sit as a Court of Appeal from a court-martial; and he suggested that the Court of Directors was the legitimate authority to take cognizance of the affair. Nobody had ventured to propose, as the hon. Proprietor (Mr. Hume) seemed to think, that the door of this Court should be shut against any one complaining of injustice.

Mr. HUME.—I beg to observe that this Court has the power of recommending the case of this gentleman to the consideration of the Court of Directors; if they have not, it is extraordinary that they should have the power of recommending the dismissal of a Governor-General.

Mr. LOWNDES.—I, for one, don't like the idea of a military despotism.

The CHAIRMAN.—I understood the hon. Gentleman (Mr. Strachan) to pledge himself to make a motion. He has not, I believe, submitted any to the Court.

Mr. LOWNDES knew a friend who had been refused the command of a ship, and therefore he sympathised with Mr. Strachan.

Mr. HUME.—I do not know whether the hon. Gentleman intends to submit any motion, but I think it best to take the subject out of his hands. I hope that no British audience, such as that which I now address, will act in a manner derogatory from their honour. I trust that no man, who has heard this gentleman's appeal against injustice, will refuse to join me in recommending to the Court of Directors to take his case into consideration. By adopting this course, we do not pledge ourselves to any opinion as to the guilt or innocence of the party. I therefore move that "this Court do recommend that the case of Mr. Strachan, late Lieutenant in the Company's service, be taken into consideration by the Court of Directors."

Mr. GAHAGAN.—I beg to propose a question to the hon. Gentleman (Mr. Strachan), which perhaps he will answer by way of courtesy. He has said that he brought a charge of subornation of perjury against his officer. I wish to know what became of that charge.

Mr. STRACHAN.—The Court refused to hear my charges.

The CHAIRMAN.—Will the hon. Gentleman favour me with his name?

Mr. STRACHAN.—My name is George Strachan.

The CHAIRMAN.—Are you a Proprietor?

Mr. STRACHAN.—Yes, virtually so, considering the amount of the claims due me.

The CHAIRMAN.—What Stock do you hold?

Mr. STRACHAN.—None; but the Company owe me—

The CHAIRMAN.—You see, gentlemen, how irregular our proceedings have been; I must request that gentleman to retire.

(Mr. Strachan retired from the body of the Court to the place allotted for strangers.)

Mr. HUME.—It was not *my* duty to stop the gentleman. If blame is to attach any where, I hope the Chairman will take it to himself.—(A laugh.)

A PROPRIETOR.—We know that some gentlemen are glad to take up a subject, let it come from what quarter it may.

Mr. HUME.—I wish that hon. Proprietor would show himself qualified to take up any subject whatever.—(A laugh.) I persist in my motion.

Dr. GILCHRIST.—I rise to second the motion, and I must express my surprise at some of the doctrines attempted to be established in this Court. Are we not to be allowed to hear what is going on in India? If we may not execute any thing, surely we may be permitted to hear. I had no conception that we were to be thus cowed.

Mr. LOWNDES.—John Bull will never be cowed.—(Loud laughter.)

Sir G. ROBINSON.—It is my most anxious desire that any thing coming in the shape of a recommendation from the Court of Proprietors should carry with it that weight and consequence which will induce the Court of Directors ever to give to it their most ready and respectful attention. That being at all times my wish, I rise now for the purpose of saying why I think it would be inexpedient to comply with the motion before the Court. The case of this officer, for whom I am disposed to feel as much sympathy as those gentlemen who profess to have such an abundance of it, might, if it had never been

under the consideration of the Court of Directors, have offered something like a claim to recommendation; but when I inform the Court that his case has been five times under the consideration of the Court of Directors, that there have been five decisions upon it, and that, too, under various directions, from which it may be supposed that no decided prejudice exists on the subject, I put it to you whether it is expedient to encourage this kind of interference with the executive duty of the Court of Directors?—(Hear.) I have only to say, that if this course is to be pursued, the real business of the Company will be at an end.—(Hear.) Of all situations in the world, that of a Director of this Company is the least desirable; and I can say, that if that kind of interference be established, I will soon be gone from amongst you. I will only add, that from 1810 to 1820, the Court of Directors had received five distinct applications from this gentleman, who has now professed himself to be a Proprietor of this Court, under the idea that he is qualified by some compensation which he conceives to be due to him. From his statement one would take him to be a Lieutenant-colonel, whilst he was only a Lieutenant at the time the sentence of the court-martial was passed upon him.

MR. TWING.—Much of what I intended to say has been anticipated by the worthy Deputy Chairman. My only object in rising is to request that the Court will pause before they venture, on the grounds before them, to recommend this case to the consideration of the Court of Directors. It becomes the dignity of the Court of Proprietors, before they recommend any subject to the consideration of the Directors, to know more of the facts of the case than we could possibly collect from this gentleman's statement. I would not for the world say any thing to hurt the gentleman; but I do not think he has adopted the most proper course of proceeding. An application from himself to the Court of Directors might be made with equal effect.

MR. KINNAIRD.—The statement made by the Deputy Chairman is sufficient to convince my hon. friend (Mr. Hume) that no necessity now exists for any such recommendation to the Court of Directors, as that proposed by him. My hon. friend laboured under a misunderstanding, in consequence of what had fallen from Mr. Astell, that he had only had the case once before him.

MR. ASTELL.—Whilst I was in the Chair, for the first time, the case came before me only once. As I left the Direction immediately after, I could not tell what was done with the case.

MR. HUME.—After what has taken place, I beg that the motion may be withdrawn.

The motion was then withdrawn.

LORD AMHERST.

MR. HUME.—I now proceed to bring forward the motion respecting Lord Amherst, without notice, according to the mode pointed out by the Court of Directors. I deprecate any thing like irregularity, but I will not give up the advantage which I possess. If we possess any power more important than another, it is that which we enjoy from our charter, of discussing at quarterly Courts, any subject which we may think of importance to the interests of India.

THE CHAIRMAN.—I wish to know what motion the hon. Proprietor is going on with. Is it that relating to Mr. Buckingham?

MR. HUME.—Being in possession of the Court, and all the notices of motion being before us, I shall not be directed by you, Sir, as to the course of proceeding.

THE CHAIRMAN.—You are in possession of the Court, with respect to Mr. Buckingham's case.

MR. HUME.—The Court of Directors stated in their letter, that I was at liberty to make the motion respecting Lord Amherst without notice.

THE CHAIRMAN.—No doubt; but not till after the business of the day has been regularly disposed of.

I will not submit to the power which the Court of Directors assume, of pointing out the order in which I am to make my motions.

THE CHAIRMAN.—I only wished to point out to the hon. Gentleman, that



to proceed regularly, the motion respecting Mr. Buckingham should be first discussed. However, if he wishes to proceed with another, I will not object to it.

Mr. HUME.—I think that, even in justice to Lord Amherst, the Court is bound not to separate without coming to some decision with respect to his Lordship. If there are any hon. Members who differ from me, and can produce information to enlighten me, I shall be happy to alter my opinion, and clear his Lordship from the doubts I at present entertain respecting him. In order to be able to form a correct opinion of Lord Amherst's conduct, it was necessary to contrast the situation in which India stood at the time he assumed the reins of Government with its present condition. I do not blame his Lordship for the disastrous results which have ensued from his government as I do those who sent him to India. At the time his Lordship was appointed, he was considered by every person as a man by no means qualified to hold the reins of Government over a population of 800,000,000 of souls, composed of the most discordant materials. Blameable as Lord Amherst's conduct is, it is innocent compared with that of the Government, in recommending his appointment, and of the Court of Directors in sanctioning it. It was notorious, that he was a man unequal to the situation in which he was placed, and incapable of acting in it with credit to himself, or advantage to the country. I wish that mine was the only voice which was raised against his Lordship. I wish that I could hear one solitary voice declare that his Lordship was qualified for his high office, or that any one event which has taken place since he was in India marked either his wisdom or talent. I am sorry to say, that no such counter-voice has reached my ear, either in this country or elsewhere. The opinions of all persons most capable of judging, were almost unanimous. In 1823, his Lordship arrived in India, and assumed the reins of Government over an empire which, for population and magnitude, those who were accustomed to consider only European states, could form no adequate idea of. The population under the Company's immediate Government amounted to 83,000,000 of souls, and that within what was considered the Company's territories amounted altogether to 123,000,000. At no time since India has been under British sway, did greater unanimity prevail throughout its vast extent, than at the period of Lord Amherst's accession to the Government. He had been but a short time in India before he undertook to commence a war which no man who was acquainted with the situation of the respective states of India could suppose would be attended with anything but disasters. From the first moment this war was spoken of, I never heard one person say that it could possibly be profitable to the Company. It has often been asserted, that many Governors-General have undertaken wars more on account of the advantages to be derived from conquest, than to do justice to the population which they brought under their sway; but it is difficult to imagine that any individual could for a moment suppose that the war against the Burmese could be made subservient either to honour or profit. It was only to consider the situation of the Burmese territory, in order to be filled with wonder and astonishment that the war should have been begun. The country of Arracan is situated to the south-east of the Chittagong frontier, and between them a neutral boundary was formed, by a chain of mountains which ran up from the sea to the frontiers of China. The lowest of these mountains were from 5000 to 6000 feet high. They were only passable to small parties in a few places, and to an army they were quite insurmountable. These countries are unfortunately very imperfectly known at present, owing to the want of correct maps; but this deficiency will be supplied in a few days, as Mr. Faden is about to publish a new map, which has been drawn up by the surveyors in India. There is, in my opinion, a degree of blameable remissness on the part of the Government, in keeping secret the relative situations of different countries in India, by which individuals were frequently prevented from offering an opinion on questions involving local considerations. Was it possible to suppose that the existence of the natural barrier I have adverted to was unknown to Lord Amherst? And if it was known to him, what could induce him to suppose that he could overleap it, and undertake an enterprise as dangerous as it was

uncalled for and unprovoked. Our gallant soldiers, placed at the mercy of such a man as Lord Amherst, died by thousands and tens of thousands in this expedition. I mean to say nothing against those brave men whose bodies, the victims of pestilence and disease, had fattened the soil of the enemy's country. It appears that Government has laid before us all the documents which it is able to furnish. When Ministers were applied to, Mr. Wynne said, "Here is all the information which I can give you; from that you must make up your minds as to the merits or demerits of this proceeding." His Lordship has undertaken the present war in contravention of an Act of Parliament which declares it to be a misdemeanour for any person to commence or extend a war in India without the sanction of the Court of Directors and the home Government. So anxious was his Lordship to attack the Burmese territory, that he would not wait for the arrival of the Commander-in-Chief, who was in the north-west of India, to consult with him as to the mode in which hostilities should be conducted. I believe there is a letter in town, from Gen. Paget, on this subject. And I may here observe, that it is impossible for a public man to speak from documents which he has not, because they have purposely been kept back. The Government in India has prevented the newspapers from publishing any thing which was calculated to alarm the public as to the events of the war, whilst, on the other hand, directions were given to insert every thing calculated to excite false hopes of success. In the same spirit his Lordship directed a *feu de joie* to be fired upon the most frivolous occasions. This is the kind of baby play with which his Lordship amused himself; but it is not baby play to our unfortunate countrymen who perished for his Lordship's frolic. The army was carried into the enemy's country at the most unfavorable season that could be selected for such a purpose. The troops landed at Rangoon in the month of March in sufficient force to have overcome all the obstacles that the Burmese could oppose to their progress; but they had to contend with a more dangerous enemy. No sooner had they arrived at Rangoon than the rains stopped them. Those only who have been in India know the sickness which results from the rainy season. It cost us 1700 British soldiers. They died not the honourable death they wished for, in the presence of the enemy, but fell the victims of disease and famine, to which they were exposed by the imbecility of Lord Amherst and his council. What could be the wisdom and justice of allowing an individual to remain at the head of affairs who had commenced his career of government in such a calamitous manner. After eight months had been lost in endeavouring to escape from Rangoon, during which half of the troops died, and the other half was dispirited, it was discovered that this place was a sort of island, and that the army could not leave it without a flotilla of boats. (*Hear, hear.*) The army, after leaving Rangoon, were compelled to wait for supplies, and were lastly shut up in the fortress of Prome by the setting in of the rains. I have seen armies exposed to many distresses, but I never saw or heard of any which was exposed to such extreme misery as that which has been sent on this expedition. It is not at all surprising that the army should be stopped for supplies, when it is considered that those supplies were to be sent from Bengal through a hostile country, and by an intricate inland navigation. With these facts before us, I ask you whether you will continue to suffer your troops to be marched to their graves by the present imbecile government in India? (*Hear, hear.*) Disgrace has already been brought on the British arms, not by the conduct of our soldiers, but by those who unfortunately have the command of them. We have now spent two years in endeavouring to obtain possession of the country, and have hardly succeeded in obtaining a spot to stand upon. Few or none of the Natives have been brought over to oppose their government, which Lord Amherst has declared in his proclamations to be odious to them, and, in fact, the prospect of reaching the capital, Ummerapoora, was for the present at an end. From Rangoon to Ummerapoora, a distance of 428 miles, our troops were to be conveyed in boats. They have hitherto only got as far as Prome, which is 150 miles from Rangoon. This place (Prome) they found deserted by the inhabitants, and they entered it without firing a shot. All

the supplies were brought by sea under the protection of a man of war. Every fifty miles the troops advance, surrounded as they are by a population decidedly hostile, the difficulty of obtaining supplies will increase. Such a state of affairs can, I am afraid, lead to no other result than that which took place at the capital of Candia in former years. (*Hear, hear.*) In order to remedy the present evils, it was necessary to have recourse to wiser councils. The general cry of the people of India was, "O that we had the talent which we have lost to direct the tottering state! O that we had the Marquis of Hastings back again." (*Hear, hear.*) It is almost impossible to form a just idea of the unhappy situation of India at the present moment. If the accounts received be true, the expense of carrying on the war is enormous. Every ton of shipping is taken up at treble the price which was paid for it formerly. One ship which cost, when she left England, 10,000*l.* has been taken up by the Government at 2,000*l.* per month. If this be the case when our troops have advanced only 150 miles into the interior, what may we not expect when they shall proceed further? How many ships will then be required to keep up the communication? It then appears impossible to carry on this rash enterprise without an expenditure of money which appears quite unwarrantable. And for what object was this disastrous war undertaken? If I were to read the declaration of Sir Alexander Campbell respecting the dire offences committed by the Burmese against the Company, it would excite the risible faculties of this assembly, although the subject is so serious. It seems that there is, in the river Naaf, which is our eastern frontier, a small island called Shahpooree, which does not contain a single inhabitant, and has never been cultivated. This island the Burmese claimed as theirs, and the Company, on the other hand, said it belonged to them. This important place was the primary cause of the war, coupled with the fact of one of our men being killed by an individual, who was known to be a Burmese subject, and whom the Arracan Government declared to be a robber, and said they would immediately hang him if we could catch him. When we consider such a cause of war, and such a mode of conducting it, are we to sit still because Mr. Canning, who had sent Lord Amherst to India, did not choose to stultify himself by recalling him. (*Hear.*) Mr. Canning said that he considered Lord Amherst a fit enough man to rule India as long as it continued at peace. Doubtful as this is, it is at least a clear admission that he does not consider his Lordship a fit person to govern it during war. The circumstances under which he received his appointment then are totally changed, and it now becomes the duty of our executive Government to take steps to ensure his removal. The Court of Proprietors have no longer the power of recalling their Governors-General, and can only recommend the Court of Directors to do so. If any civilian can stand up and say that he has confidence in Lord Amherst, let him speak. Is there any military man in Court who will make such a declaration? Is there any commercial man—is there any man in short, of any description, behind that bar, who will stand up and say that he has such confidence in his Lordship that he is willing to leave the fate of India in his hands. Let us have a candid statement from the Chair as to what has been the tone of the despatches sent to his Lordship during the last eighteen months or two years. Have you (the Court of Directors) approved of any one act of his Lordship?—have you not, on the contrary, disapproved of every thing which he has done? I ask, is there any one important act of his Lordship which does not deserve censure? Is there any one act which does not bear the marks of littleness and imbecility? I ask Gentlemen to reflect on the possible consequences of such a system. It is necessary that some man of talent should immediately be sent out to India to remedy the evils which the present Government has caused. I do not know whether every act of the Government emanates from his Lordship, but this I know, that every act must receive his sanction. If any one of you whom I am addressing had been in his Lordship's situation, would you have taken upon yourselves the responsibility of entering upon a war without having considered the enemy's country, or provided any sufficient means for carrying on hostilities? What had

been the conduct of his Lordship with respect to the unfortunate affair at Barrackpore? If I state any thing wrong on this subject, let those who have the documents correct me. I maintain that the mutiny was occasioned by the imbecility of his Lordship in opposing himself to the prejudices of the Native troops, and in neglecting to attend to the representation which they sent in ten days before the fatal 2d of December, when so many of the gallant fellows were slaughtered. I cannot help applying this honourable term to the Native troops; for I never in my life saw better soldiers than they are. (*Hear.*) These brave fellows were mowed down by a masked battery opened upon them at a time when they were quite unconscious of danger. That transaction will be a blot on the character of Lord Amherst's administration for ever. I say, then, that we ought to learn from our executive body whether they have taken any measures for removing Lord Amherst. Can I give a stronger proof of the difference of opinion which prevails between the Court of Directors and Lord Amherst, than by stating that the former have sent out an order to do away with the effects of passion and resentment which had condemned a number of men to be hanged for taking part in the mutiny, who, I believe, never had a musket in their hands during the transaction. After these persons were condemned to death, the Government, instead of carrying their sentence into execution, placed them to labour on the public roads, a proceeding above any other calculated to shock the prejudices of the Natives, by whom death would be preferred a thousand times to such a degrading punishment. That circumstance has produced a great sensation in India: death would never have caused half the heart-burning which that has. Even the officers of the Native corps, though they had abandoned their men, and would take no part in the mutiny, had been punished for their good conduct, by ignominious dismissal from the service. By all these acts Lord Amherst had compromised the interests of India, and naturally excited the strongest feelings of dislike against his administration. All the private letters from India which I have seen are unanimous in condemning his Lordship. I will read an extract from one of these letters:—

"At every petty triumph Lord Amherst fires a *feu de joie* and a salute. He rides up and down the course as the lady in the simple hygrometer comes out in fine weather; but when there is bad news, or none, Barrackpore holds his Lordship. So much for sending out a bedchamber Lord! The amendment expected from a change of Governors has not been realized. Lord Hastings is wished for back again by every one. The acts of the new Lord are so notoriously and so obviously absurd and *little*, that one can scarcely trouble oneself to think about him."

I have in my possession five or six letters from different persons unconnected with each other, all couched in similar terms, and all concluding by saying, "We surely cannot be left here by the authorities at home to be sacrificed under the government of a man, whose imbecility is as notorious as his tyranny is odious. Let the care of England be extended to India, if India is to be preserved; let us be rescued from the thralldom in which we are at present involved; let us no longer be suffered to be marched to destruction by a man who rushes blindly on danger because he has not discernment to appreciate its magnitude." I now, in conclusion, call upon you from this uncontradicted statement of the general want of confidence in the capacity of Lord Amherst, which now prevails in India;—I call upon you, after you have seen with your own eyes, and in your own country, the fatal effects of a want of confidence in the commercial world, effects, however, which are not half so fatal as those produced in an army by a want of confidence in its commanding officer;—I call upon you, I say, with all this experience before you, instantly to take such measures as will restore to your executive Government in India that confidence which at present is not reposed in it. If I am right in my statement, that there is in your Indian possession a total want of confidence in the prudence and propriety of all Lord Amherst's measures; if I am right in saying that every act which takes place under his authority, from the Burrampooter to the Indus, (not forgetting his recent conduct to

Sir David Ogterlony,) creates umbrage and excites contempt, is it fit that he should be allowed to remain any longer in the supreme administration of your affairs in India? Is it fit, I say, that he should be allowed to conduct a war, where thousands of your countrymen are needlessly sacrificed, as in Arracan, and where regiments, which enter upon the campaign with a complement of 1000 men, are liable to be reduced almost without receiving an enemy's fire to only seventeen men? I assert, that this loss has actually been sustained by one European regiment. Other regiments have suffered, but not in the same proportion; and though the effects of this loss have not yet been visible in any signal disaster in the Burmese territory, it ought never to be forgotten that the knowledge of it may be productive of disaster to your forces in other parts of the continent of India. We are, therefore, by every dictate of honour and humanity, called upon to extend that protection to India, which it is not likely to receive from the administration of its present Governor; and to show, by our actions, that we are not indifferent to the safety of our countrymen, who are now struggling almost for existence in those distant regions; and, therefore, in the name of the Proprietors, I do call upon the Court of Directors to perform that act, which we have no right, from any thing yet published, to suppose that they have hitherto performed. I mean to take measures for the immediate recal of their present Governor-General from India. Leaving out of my present consideration the other acts of Lord Amherst, some of which equally merit condemnation with those that I have already noticed, I now move that this Court, duly considering the present situation of affairs in India, do humbly recommend to the consideration of the Court of Directors, the propriety and necessity of recalling Lord Amherst, their present Governor-General.

Mr. DOUGLAS KINNAIRD.—I rise to second the motion of my hon. Friend; and, in so doing, it may be right for me to take an opportunity of explaining why the requisition sent in to the Court of Directors by my hon. Friend and myself, to call the attention of the Court of Proprietors to this subject, was posterior to the requisitions which were sent in upon two other subjects, of which it is now evident that we must postpone the consideration to another and a future day. It cannot be unknown to any person, whom I have now the honour of addressing, that the recal of Lord Amherst has been the subject of the confident anticipation of the country for many months past; and that it has been the universal topic of discussion among all classes of society, who, however little they may be interested in the general affairs in India, still retain a common interest in the fate of their countrymen, who are shedding their blood there. For my own part, I must say, that I am surprised, not merely that no Court of Proprietors of East India Stock has hitherto been summoned, but that no general meeting of Englishmen has been publicly held for the purpose of appealing to the Court of Directors for some information as to the sacrifices of blood and treasure which have been recently made in India, owing to the known imbecility of that man, the anticipation of whose recal has been so notorious that I have put off calling your attention to it to the very last moment, because I thought that any measure to effect that desirable consummation would come much better from your side of the bar, Mr. Chairman, than from ours. The act of keeping Lord Amherst in India under his present load of obloquy and censure, is an act of injustice towards him on the part of those by whom he is employed, unless they are ready to come forward and disprove his incompetency, which is at present notorious, not only all over England, but all over Europe, and the world. I consider, that, if I have often before now taken the liberty of introducing discussions in this Court on subjects, interesting, not merely to the Proprietors, but to the public at large, I am bound to take part in the introduction of this question, to which all former questions must yield in interest and importance. For else, how can I look any man in the face, who meets me in the streets, and asks me the usual questions, "Is Lord Amherst yet recalled? What are the Directors about? The secrecy, in which they involve every thing relating to this Burmese war, prevents us even from conjecturing; but, you, Sir, are a Proprietor; and cannot you ask for that information which is denied to us? In

justice to Lord Amherst, Sir, you ought to ask for it, and to call upon the Directors, if he is competent to the discharge of the duties of his high situation, to throw their shield before him by declaring their conviction that he is worthy of their confidence? " I feel, Mr. Chairman, the force of these observations, and therefore it is that I am here in this character to-day. I have no pleasure in appearing as a public accuser. I know the ill feeling which is naturally engendered against one, who calls the notice of a public body to the misconduct of an individual. I protest that individually I have no ill feeling towards Lord Amherst, no disposition to seek invidiously to pick a hole in his coat. I believe him to deserve the character which Mr. Canning gave of him in the House of Commons; nor do I dispute that the acute statesman, whose name I have just mentioned, was greatly surprised when he heard that the energy of the tyger was declared to be a characteristic of his noble Friend. No, he was well assured that energy of any kind is not the characteristic of Lord Amherst. His characteristic is imbecility. But it is that which renders him the tool of profligate and designing men, and makes him, by mistrusting his own judgment, as liable to be used as the instrument of cruelty and wickedness, as of humanity and sound principle. His views may be honest and upright, but his acts are directly the reverse. That is not my opinion only—it is yours;—your acts have been condemnatory of almost every thing which he has done, and, whilst they continue to be so, you are guilty of injustice to your fellow-countrymen in India if you do not recal him,—nay, more, you are doing every thing in your power to bring about a crisis, from which not even the talents of Mr. Canning, no, nor of Lord Hastings himself, will be able to save you. (*Hear, hear.*) That illustrious Nobleman was the greatest administrator you have ever yet had. To the penetration of the statesman he added the daring courage of the soldier, and thus was enabled to achieve for you greater services than you have ever before received, even from your most successful general. (*Hear, hear, hear.*) It is a rare thing to meet such an extraordinary combination of talent as you lately witnessed in the person of Lord Hastings. Yet, great as his merit was, it was rendered still greater by the circumstance of his having achieved for you all he did,—and he was the only man who ever so achieved it,—with the notorious want of the co-operation of the Directors at home, and of his coadjutors in office abroad. (*Hear, hear.*) They are strange times, when such difficulties arise as those from which Lord Hastings rescued you, and they require the exertion of more than ordinary talent. Your present situation, as you yourselves well know, is one of appalling difficulty. Can Lord Amherst extricate you from it without your declaring him to possess and to deserve your unlimited confidence? If he does not possess that confidence, in justice to Lord Amherst, recal him at once, and save him from the infamy which history will attach to his name, if India be lost to you in consequence of the folly and imbecility of his measures. (*Hear.*) Am I chimerical in supposing that India is likely to be lost to you in consequence of this unnecessary and unfortunate war? I appeal to those among you who have friends and relations in India, whether it does not appear from their accounts that there is a positive apprehension of such a result in the bosom of every reflecting European, who is now stationed there. But whilst upon this subject I would ask the Court whether any declaration coming from India can be half so appalling as that declaration, which you, Mr. Chairman, have suffered to fall this day from your lips, namely, that it will be dangerous to allow the knowledge of the agitation of the question of Lord Amherst's recal to be made public in India before the decision in this Court upon it. That decision, you know, will be in your favour—and I know it too. I persevere, however, in calling for it; for I look more to its indirect than to its direct consequences. Indeed, that is always my object in promoting discussions here. The effect is not produced immediately, but is visible some eight or ten years afterwards. I think I may state that as the period, since, about eight or ten years ago, I first brought forward my proposition about your College at Haylebury, to which your Directors have, I understand, within the last month, acceded. (*Hear, hear.*) But to return to the point from which I wandered. You have told us, Sir, that the reason why the

Court of Directors would not advertise the subject which we are now discussing, as one of those which would be brought before the General Court of Proprietors was, that it did not wish to send a dangerous firebrand to India without the means of extinguishing it—that it waited till a decision was made upon it, in order that the bane and antidote might both reach India together. What is this but saying, “The subject may be discussed safely, but with the discussion our vote must go forth; for so India will be quiet, and Lord Amherst safe?” Do you, Gentlemen, believe this language, which the Directors address to you? Nay, I will ask, do they believe it themselves? No such thing. The time is past for such delusion; and I say boldly, that unless Gentlemen get up with something more than empty and unmeaning compliments to those in power, unless they state manfully to England and to the world the reasons why they think that Lord Amherst can recover the confidence of India, which it is impossible to say that he has not lost, the vote of this Court will be worse than idle, and scarcely of as much value as the piece of paper which conveys it along the Atlantic. I never anticipate the success of any motion I make in this Court, nor have I any reason to do so upon this occasion; but I feel that I am doing my duty to England, to India, and even to Lord Amherst, in giving you, the Directors, an opportunity of stating the reasons why you wish to continue him in his command. I trust that if the discussion of this day does not operate upon you, it will operate upon the Government of the country. It is possible that you may have already performed your duty, and declared to the Cabinet your opinions. If you have done so, I am your best friend, in affording you an opportunity of letting the public know, that the responsibility attached to the present manner of governing India, is removed from your shoulders, and rests on those of the Board of Control, and of the English Cabinet. I am well aware of the unpleasant situation in which the Directors are placed upon all occasions like the present. I admit that it is matter of great difficulty for them to place their finger upon any one act of the Governor's administration, and to say, that for that specific act he deserves to be recalled. I do not even pretend to say that I can point out any one such act in the administration of Lord Amherst; but I can say that there are 5 or 6 most objectionable measures in it, and that there is an almost universal opinion that he is unworthy of your esteem and confidence. I would ask, Mr. Chairman, whether you mean to say that there have been no extraordinary events in India during the short period he has acted as your Governor-General? Have the occurrences only been such as take place in tranquil and in ordinary times? I allow that it does not always happen that your Governor-General is at once a wise man, a great warrior, and a conciliating statesman; but then it seldom happens that he is at once deficient in the several qualifications which compose each of these characters. And yet I find Lord Amherst deficient in them all. A wise man he cannot be, who engages in enterprises without considering the difficulties which surround them. A great warrior he cannot be who undertakes a war without consulting with the Commander-in-Chief on the plan upon which it is to be conducted, or on the number of troops by which it is to be supported, and who never thinks of asking the advice of his military coadjutors, until he finds that he has commenced it unfortunately. As a civil Governor, who ought to have no passions, and who ought to take delight in moderating the violence of military discipline, whenever it leads to punishment for military disobedience, I cannot esteem Lord Amherst, for I find him aggravating instead of mitigating the penalties attached to mutiny and rebellion. For my own part I must say, that when I read the account of the massacre at Barrackpore, I deem it one of the most atrocious butcheries which history presents to us; and I consider Lord Amherst and his associates upon that occasion, as the most unfeeling savages that were ever represented as cursed with power. Will it be believed by future ages, that because a set of men did not throw down their arms, and refused to march, a masked battery was opened upon them, without trying the effect of negotiation, and without bringing down an overpowering force, to endeavour to awe them into submission? The muskets in the hands of these mutineers were not loaded, — a single bullet was not to be found — in any

one of them; and yet orders were given to do military execution upon them. By repeated discharges of artillery, their ranks were broken, and then, after they were dispersed and separated, the stragglers were shot by their fellow-soldiers, who spent the day in *sniping* them, one by one, with as little mercy as if they had been so many wild ducks. When all this mischief had been effected, an inquiry took place into the cause of it, and then it was found out that the men had only refused to march, because they had been asked to perform impossibilities! Money had been given them for the purchase of cattle to convey their necessities; but at this time the purchase of cattle could not be accomplished by Government itself, which had consequently taken them by force. The poor Seapoy could not compete with the agents of a wealthy Government, who had secured a pre-emption of the market. He also evinced a reluctance to embark on shipboard, because that regard had not been paid to his feelings and prejudices which had been paid to them on former occasions, when he had volunteered to cross the sea, to do us service in various places. Nothing, therefore, but the unheard of folly and imbecility of Lord Amherst, was the cause of the melancholy tragedy performed at Barrackpore. Indeed the necessary consequence of placing a man without a head in the supreme command of a country is, that in every stage of his administration, disorder and confusion invariably arise.

There are other points in Lord Amherst's conduct which, in my opinion, equally deserve reprehension with that which I have last mentioned; and I could specify many instances in which his Lordship has put his name to acts which are disgraceful to humanity. When I listen to the detail of the manner in which he personally interfered in the destruction of Mr. Buckingham's property, I confess that I am shocked by the mean and pitiful views which appear to actuate him as Governor-General. It is in vain you tell me that he has redeeming qualities. Look for them where I will, I cannot find any vestige of them in his public conduct. I think it most unfortunate, nay, I will even add, most dangerous, that we should have got into the habit of praising him for his liberal qualities, when all his actions appear to emanate from a mean and illiberal spirit. He may have been lulled by the great qualities of his predecessor into a fatal ignorance of his own capabilities; he may think that because Lord Hastings wielded the sceptre with equal credit in time of peace and in time of war—and Lord Hastings is still your creditor for the efficiency which he gave to your armies in the field—he has only to aim at the same great objects to obtain the same great and eminent success. Let him, however, awake from this dream of imaginary glory; let him learn to know himself, and to recollect what he is, and to whom he succeeds. I do not wish to depreciate Lord Amherst, but I must remind you, that before you appointed him to the high and important situation which he now fills, he had given no pledge of talent, he had achieved no brilliancy of reputation. And here permit me to observe, that if you appoint a man who has no *prestige* about him to be your Governor-General, a more than ordinary responsibility rests upon you, of which you will strive in vain to get divested. If, in your opinion, Lord Amherst has the talent which becomes your Governor-General, state it manfully and openly, and do not blink the question;—but if he has not, then say that his appointment was effected by the intrigues of the Cabinet of England, and add, if the fact be, that you are prevented from removing him by the continued operation of the same cause. It has, however, been stated, that even the Cabinet is convinced of the necessity of recalling his Lordship, and that the difficulty of appointing a successor to his office, has alone kept back the order for his recall. I cannot believe this to be the case, because it is treating the appointment of a Governor-General of India, as if it were the appointment of a supercargo to a commercial speculation. With the talent which the country possesses at the present moment, and with the spirit by which that talent is animated, it is ridiculous to say that a successor cannot be found for my Lord Amherst. If there be any doubt among his Majesty's Ministers on the propriety of removing his Lordship, do you come forward and remove it by your vote of to-day; but if there be no doubt, and they be determined to continue him at his post, do you protest against the



determination, and rid yourselves, in the face of your country, of the responsibility which must otherwise attach to you, as the supporters of his folly and imbecility. The hon. Proprietor, after a short recapitulation of his arguments, concluded by giving his cordial and strenuous support to the proposition of Mr. Hume.

After the question had been put from the Chair,

Mr. R. JACKSON addressed the Court in nearly the following terms:—"I have heard, Sir, with deep regret and sorrow, the speech of my hon. Friend, Mr. Hume; I have been no less attentive to the speech of my hon. Friend, Mr. Kinuaird, and am, therefore, not unaware of the public good which they both seek to produce by the resolution they have submitted to our notice. It is important, however, that the Court, before it yields to a resolution so grave in its consequences, should have some grounds for its decision, consistent with its practice, consistent with its dignity, and, I may add, consistent with those fair appeals to justice, which ought ever to be observed between man and man. My hon. Friend, who brought the subject forward, appears satisfied with the facts he has stated, and to many of them I am not incredulous. He avows that he has no public document to act upon, but confesses that, from the extensive correspondence which it is well known he carries on with India, he is convinced of the truth of the premises on which he acts. My honourable Friend, Mr. Kinuaird, is convinced also, partly, as he states, by the communication of that correspondence which my other hon. Friend has received, and partly by the universal notoriety of Lord Amherst's incapacity, which he thinks ought to convince you, as it has convinced him, that that nobleman ought to be recalled forthwith from India. Now, I would ask, is it in this manner, and upon such slight grounds, that we have acted lately? Have we ever assented to any resolution of such great importance as the present, merely because one gentleman has an extensive correspondence with India, and another gentleman declares himself satisfied by the perusal of it? Open your records, and show me, if you can, one single instance in which we have ever acted as we are now called upon to act. Should we be the disguised body that we now are, should we have attained that weight with the community which we now possess, if we had delivered ourselves to such weighty conclusions on such paltry and insignificant premises? Surely not. I shall therefore call upon you to pursue that course which you have pursued upon former occasions, and shall advise you to show that temperate forbearance towards Lord Amherst which you formerly showed to the Marquis of Wellesley, and subsequently to the Marquis of Hastings. At an early period of the government of each of those illustrious noblemen, motions were made, which, if they had been carried, must have injured, if they had not destroyed, the reputation of both as statesmen and politicians. I then took the liberty of cautioning the Proprietors against certain considerations which I thought were urged unjustly against those great men. I stated the unfairness of judging them without having any evidence regularly before us. The objection was held good, and I succeeded in consequence in having all the documents which related to the transactions complained of, and which were not of a secret nature, laid before the Court of Proprietors. We thereby obtained a triumphant decision for those men, who lived to surmount the difficulties of their situation, and to overcome the dangers by which they were at first surrounded. Whether a similar forbearance in this instance will be attended with similar results, I cannot pretend to determine. It is for you to judge of it with your usual discretion, and, I will add, with your usual magnanimity. The dangers which menace the security of your Indian Empire are unquestionably great; and if it were put to me to imagine one act of magnanimity on your part more glorious than another, it would be for you to forget the past, and to implore the Marquis of Hastings to put his foot again in India as your Governor-General.—(*Hear, hear.*) If it be within the power of human talent and of human industry, he would save that prodigious empire to you and to England.—(*Hear, hear.*) The magnanimity which I would advise you to exhibit is not new to your history; it was exhibited towards Lord Cornwallis in a manner equally honourable to him and to you. You cannot

have forgotten that there was a time when your Indian Empire was endangered by the mutinies which were raging in one part, and by the struggle you were waging in another part of it. At that time there was but one voice in this Court as to the remedy to be attempted; it was to implore the great Lord Cornwallis—and I may be permitted to call him the good Lord Cornwallis, as I had the honour of frequently beholding the purity of his domestic life—to resume the high and efficient office which he had formerly held in your service. The Court agreed to a proposition to that effect. Two of the Directors, the Chairman and the Deputy-Chairman, put themselves into a post-chaise, went down to Lord Cornwallis, who was then at his seat in the country, and implored him to come forward once more for the preservation of India. He answered them with that frankness and sincerity which distinguished him through life; “If you think me of such importance as you represent, and if it should be the pleasure of my king that I return to India, I will not say that I would object to doing so; give me, however, forty-eight hours to consider, and at the expiration of that time I will inform you of my determination.” Within the time which he specified he returned an answer, and within a few days more he was ready to embark. Great, therefore, as your magnanimity would be in making a similar application to the Marquis of Hastings, it would not be unprecedented in your own history; and my firm opinion is, that if the interference of one man with the affairs of India is more necessary than that of another, it is the interference of the Marquis of Hastings.—(*Hear, hear, hear.*) With regard to the question now before the Court, I cannot refrain from observing that we are by no means ripe for the discussion of a motion which tends to destroy the character of Lord Amherst as a public man, and to infix upon it a stigma which ages would be unable to erase from history, supposing we deliver ourselves up to the appeal which has been so eloquently made to us by both my hon. Friends. My hon. Friend (Mr. Hume) set out by observing, that this Court was summoned for this day, in order to pronounce judgment on the character of Lord Amherst. Now, I would ask, is there one man among us who is prepared for such an adjudication? I, for one, am not prepared to acquit Lord Amherst, neither am I prepared to condemn him. To enable me to do either the one or the other, I must have the documents on which public bodies generally act, and on which this Court has acted in somewhat similar circumstances. (8) If I had been disposed to treat this as an improper occasion for bringing forward this subject, I might have moved the previous question upon it—for such a proceeding would have moved it from this Court—but I purposely refrained from doing so, because I reckon it among the most valuable privileges of this Court, that it can enter into a consideration of the character of its Governors; and though, since the year 1784 it has not possessed the power of recalling a Governor-General, it still possesses a power of opinion to which statesmen would be obliged to attend, notwithstanding any influence that might pervade the Cabinet in opposition to it. My honourable Friend has stated circumstances with regard to the events at Barrackpore, which I frankly own are very lamentable; but are you upon that statement inclined to call Lord Amherst a murderer, before you have heard one word in his defence, or one argument in justification of his conduct? Not that I mean to say that any word would defend, or that any argument would justify, that which his lordship has done. But are you, without further hearing, inclined to condemn him? I am sure that you are not. You will do as I advise you; you will act now as you acted formerly towards Lord Wellesley; you will pursue the same line of conduct which you pursued still more recently towards Lord Hastings in the case of the Nepaul war, of which the first campaign was so unsuccessful, that it served as a signal for the enemies of his lordship to commence their operations against his character. The conclusion may not be the same to Lord

(8) Here is the eternal circle in which India House politicians move. They cannot come to a decision for the want of information; and when we call for facts and documents to enable us to judge, they are refused. Such procedure can only bring them into contempt with all rational men.

Amherst that it was to Lord Hastings, but the measure of justice ought to be the same. It is on that very account that I assert that we are incompetent to judge of the merits and demerits of his lordship. I say *we* emphatically, for with the documents before us *we* are empowered to decide. My honourable Friend complains that two years have passed away without the Directors vouchsafing to give us any account of what has been going on in India; and yet, though such is the case, he has already made up his mind as to whether the conduct of Lord Amherst is justifiable or not, and whether he does or does not deserve impeachment. But supposing that it should appear necessary to the Directors to take some measures, not with a view of recalling Lord Amherst, but with a view of putting an end to the war, and to the dispersion of our treasures, then I would rather be here where I now am, than with you, the Directors, if, entertaining such opinions, you did not say to the Government, that some end must be put to the seas of blood and to the millions of treasure which were now in the act of being unnecessarily expended on the continent of India. But perhaps you want the countenance of your constituents before you make use of such language to the Cabinet; and if so, we perhaps may shortly have the means of giving you that countenance through the constitutional medium which I now propose to you. The motion which I intend to submit is this:—"That there be laid before this Court all despatches which have been received from the Governor-General in Council in Bengal, and from his subordinate authorities, respecting the commencement and conduct of the Burmese war, and the mutiny at Barrackpore, such papers not being of a secret nature." You will see, from the terms in which this resolution is couched, that I give to the Court of Directors the power of withholding such documents as they, in the exercise of their discretion, may think prudent to withhold for the benefit of the public service. It was upon such papers that we acted in the case of Lord Hastings, and it is upon such papers that I advise you to act at present. They are papers which can be placed before us without any great delay; and if the Court will agree to my suggestion, and will wait for them as for the grounds for its future decision, it will best consult its interest, will best provide for justice, and will most easily retain its privilege of judging its own officers whenever an occasion of doing so shall arrive. To what conclusion those papers may lead us it is impossible to predict; it may be satisfactory, or it may be condemnatory, but at present it is unknown. The Burmese war, though unsuccessful, may have been wise and necessary in its commencement. Success is not always the criterion of merit. If parties act wisely in the commencement and progress of a war, are they to be held responsible for its issue? Until we know more of the circumstances which gave rise to the present contest, I will not be convinced except by seeing your hands held up against me, that you will condemn your Governor-General unheard, and consign his character to everlasting infamy. Consideration in all cases is desirable; but in a case like this, is of the most paramount necessity, introduced though the proposition be by two gentlemen who stand deservedly high in public opinion. Let them, however, stand as high as they may, still their dictum is not yet document, and we shall therefore act a more grave and dignified part in postponing our discussion on this important subject, until we gain such papers as will fully qualify us to enter upon it." The hon. Proprietor concluded his speech by reading a second time the words of his amendment.

Mr. POYNTER rose to support the amendment, and had said a few words in support of it, when he was interrupted by the Chairman, who wished to read both propositions to the Court.

On the Chairman's reading Mr. R. Jackson's amendment, Mr. Hume suggested to his hon. Friend, that the answers of the Court of Directors to the despatches of the Governor-General, should be laid upon the table along with the despatches themselves.

Mr. R. JACKSON, in replying to this suggestion, observed, that he could not agree to it. He wished to follow as closely as possible the precedent which had been set in the Nepal war in the case of the Marquis of Hastings. On that occasion, the despatches of the noble Marquis were laid before the

Proprietors, but not the answers of the Directors. He asked for an opportunity of judging Lord Amherst, and not the Directors. When he wanted to sit in judgment on the Directors, then he would call for their answers. At present he reposed confidence in the Court of Directors, and should, therefore, ask for no other documents than such as were necessary to enable him to come to a correct adjudication on the merits of Lord Amherst.

Mr. POYNTER then addressed the Court.—“ In rising to second the amendment, which has been just proposed, I think it necessary to premise to you, Mr. Chairman, that I do so in the exercise of my right as a Proprietor, and without concurring exactly in the opinion of any speaker who has yet preceded me. Having received no previous intimation that this question would be agitated to day, I come to it unprovided with any other information than that which I have been able to collect during the continuance of the debate; and yet even that scanty stock of information has furnished me with sufficient reasons for opposing the motion of the hon. Proprietor opposite, and with your permission, I will briefly state those reasons to the Court. By acceding to a motion of this sort, we call before the public an individual of high rank without any other grounds for doing so than two speeches, which, however eloquent and ingenious they may be, are utterly devoid of anything like proof. With all deference to the Gentlemen who have uttered those speeches, I must say that they are the lightest which I have ever heard since I attended in this place. No ground of sufficient consequence has been stated in them for putting any individual on his solemn trial. The motion, to which they demand your assent, is not for inquiry into charges which they present to your consideration, but for condemnation without inquiry upon charges which they refrain from embodying into substance; for what else is it that they mean when they press you to recal Lord Amherst from his high and important situation without any proof, or even allegation of proof, that he has misconducted himself in it? The hon. Member for Aberdeen commenced his speech by telling you, that since this outcry has been raised against Lord Amherst, he has never heard one solitary voice raised in his favour; and he has inferred from that circumstance, that the incapacity of his Lordship is so notorious that it is impossible to deny it. Instead of being overwhelmed with obloquy and abuse, his Lordship might have been assailed with eulogy and panegyric from every quarter. Would the hon. Proprietor in that case have inferred that Lord Amherst's qualifications for his high situation were so self-evident that no man had the audacity to dispute them, or would he not rather have said that the universality of his praises arose from a paltry attempt to bolster up by unworthy means a reputation which was unable to stand of itself? Let not the hon. Proprietor deceive either himself or others by supposing, that because the friends of Lord Amherst have not been loud and vehement in his defence, they have, therefore, no defence to offer for him. There are men, who are content to hear their measures canvassed without taking the trouble of defending them against interested cavillers, and who will not condescend, to enter, in reply to anonymous challenges, into the arena of public newspaper debate. There is an old French proverb, which explains the reason on which their determination is founded. “ *Qui s'excuse s'accuse.*” I venture to remind the hon. Proprietor of it, in order that he may see that the inference he has drawn from Lord Amherst's silence is not entitled to that weight which he seems anxious to give to it. With regard to the war now waging in India, I will candidly confess that it is a question which I do not understand, and with which I shall not pretend to meddle. It appears, however, to me, that the hon. Proprietor is calling upon us to come to an important decision upon the merits of that war, at a moment when it is still unfinished, when its operations are still in progress, and when we have no intelligence from the seat of hostilities on which we can safely rely. (*Hear, from Mr. Hume.*) Is such a proceeding either fair or candid? Suppose that any enemy of Lord Wellington, and I by no means reckon the hon. Proprietor as one of them, had during an early period of his Lordship's campaigns, when the prospect was not at all promising, and when his great plans were only half accomplished; suppose any enemy of that

great captain should have attempted, under such circumstances, to have drawn the House of Commons to such a conclusion as that to which the hon. Proprietor now wishes to draw us? Experience by this time would have demonstrated that nothing could be more unjust or unwise than such a conclusion. Apply this argument to the present case, and surely you will see that you have good grounds for stopping in the career in which the hon. Proprietor proposes that you should run. We have heard much in the course of the debate of the natural boundaries of India. Before this war existed there were other natural boundaries to our dominions; there were mountains, and gauts and jungles in other directions, and yet we surmounted them all, and have conquered with our arms regions over which it would have been once thought insanity to have said that we should ever traverse. I do not entertain any doubt but that we shall do much more than we have hitherto done, especially when I consider that our troops are under the command of such gallant officers as the hon. Proprietor admits ours to be at the present crisis. (*Hear, hear.*) With respect to the private communications which the hon. Proprietor has read to us, and on which he lays so much stress, I cannot deny that, as far as he is individually concerned, he has a right to depend on the accuracy of his correspondents, but I think that I may say, without fear of contradiction, that it is evident, from their language and tenor, that they could only have come from some person who had views inimical either to Lord Amherst or the members of his Government. For instance, take the comparison of Lord Amherst's only showing himself to the public at *four-de-joies* to the old woman, who never comes out of her house in the *barometer* except in fine weather; is that a comparison fit for a grave account, which is tendered to this Court as evidence in a case of this important description? As to the question of the merits of Lord Hastings, upon which several Proprietors have debated so fully, I shall only remark, that they are not now before the Court, and that I therefore decline to enter upon them. The subject of our present discussion is the propriety and necessity of recalling Lord Amherst, and we shall do wisely if we confine ourselves to it. I now come to the speech of the honourable Proprietor who seconded the motion made by the honourable Member for Aberdeen; and here I must observe, that though it is not deficient in that fervour of eloquence which always distinguishes the honourable proprietor who made it, I cannot find in it a single fact to support the serious conclusion to which he wishes to bring us. Indeed, the honourable proprietor confessed that he did not so much rest it upon facts which had come within his own knowledge, as upon the general notoriety of the want of confidence in Lord Amherst's measures now prevailing in India. In reply to such an argument, if argument that can be called, which argument is none, I beg leave to say, that if men are to be condemned not upon facts produced against them, but upon general notoriety, I know not the man who can be considered safe. Even I, humble as I am, may be thus destroyed, much more an individual of high rank, who, in proportion to his rank, becomes an easier butt for the arrows of envy and malice. You have been told, in the course of the debate, that you are bound to throw your broad shield over your fellow-countrymen who are now in India. I do not deny it; but I tell you that you are also bound to throw the shield of honour, justice, and integrity over Lord Amherst, and to protect him in his absence from such attacks as are now made upon him. Upon these grounds, and various others, into which I refrain from entering, I feel myself justified in opposing the original motion, and in supporting the amendment which has been subsequently moved by the hon. and learned Proprietor below me.

DR. GILCHRIST.—I have but a few words to offer to the Court upon this occasion, nor should I intrude at all upon its patience, did it not appear to me that the two last speakers have misunderstood the object of the mover and second-er of the original resolution. Those honourable Gentlemen did not produce to the Court their private correspondence as conclusive evidence. What they said to the Court of Directors was this:—"If you can say that these documents are false, and that you are satisfied with the administration of Lord

Amherst, we will not press our remarks any further at present; but if you cannot say this, the information we offer to the Proprietors ought to induce them to consider whether Lord Amherst ought not to be recalled." With regard to the documents, on which a motion like the present can be founded with perfect propriety, I will merely say this, that if the Directors will not of themselves produce such documents, the Proprietors must judge of the conduct of their servants in India from such sources of information as they possess in common with the public. If they are wrong in the conclusions, which they deduce from such sources, you, the Directors, have documents to convince them that they are so, and are bound, in my opinion, to produce them for their satisfaction. But at present you abstain from doing this: you say, or rather you let us say for you, that you are satisfied with the condition of your affairs in India, but decline to give us any reason by which we can be enabled to determine of the correctness of your views.

SIR C. FORBES.—I have so fully expressed my opinions on former occasions upon the necessity of recalling Lord Amherst from India, that I deem it almost superfluous to repeat them now. I have looked with anxiety to every arrival from that country, in the hope of discovering something which might tend to alter the opinions I have formerly expressed; but as I have discovered nothing of that nature, I am bound to say that I still maintain the same opinions unaltered and unimpaired. Before I proceed to other parts of this important question, I must observe that I do not think that my honourable and learned friend has gone far enough in his amendments even for the object which he himself professes to have in view. This is not the first time that the administration of Lord Amherst has been called in question in this place. I have attended many Courts of Proprietors in the course of the last twelve months, and I do not recollect one, in which reflections have not been thrown out upon that nobleman's incapacity, reflections, which have been excited by facts communicated by persons in India, whose testimony is satisfactory to those who know them, and whose information, if the sources of it might be mentioned, would carry conviction even to the Directors, if, indeed, it has not already done so. I say if it has not already done so;—for a report reached me in Scotland that the Directors have determined to recall Lord Amherst. Yes, Sir, a report to that effect reached me in Scotland, and reached me upon what I consider good authority. (*Hear, hear.*) I ask you, therefore, whether it is not, or, at least, whether it has not, been in your contemplation to remove Lord Amherst? (*Hear.*) Has not the question been agitated by the Court of Directors, or if not by them, by the Board of Control? Has not another nobleman been named for the high situation of Governor-General? (*Hear.*) I do not expect that I shall have that question answered. (*A laugh.*) But your silence will speak for you as well as your words. If my question be not denied, it is assented to; for if you will not say that he has not been proposed, every body will believe that his Grace the Duke of Buckingham has been proposed to you as the Governor-General for India? (*Hear, hear.*) I, for one, should be happy to see any change effected in the administration of India, because, in my opinion, founded as it is upon information perfectly satisfactory to me, it must be for the better, since it is impossible that it can be for the worse. (*A laugh.*) With these sentiments impressed upon my mind, I am prepared to do now that which I suggested many months ago in my place in Parliament, when I took the liberty of advising the minister, instead of congratulating the House of Commons upon the successful operations of the Burmese war, to intimate his determination to put a stop to it, and to remove Lord Amherst from the government of India. My sentiments, therefore, upon this question, are not new. They are not taken up to-day for the first time, they are of long continuance; and every event that has recently happened in that country has convinced me that I was not wrong in supposing that our empire in India is at stake; that every delay in recalling Lord Amherst is pregnant with danger, and that the only mode of retrieving our affairs is that on which no difference of opinion exists out of doors, namely, to solicit the Marquis of Hastings—all of whose conduct I cannot by the bye approve—to return to the government of India which he

formerly held with so much honour to himself and advantage to those whom he governed. (9) Compare the condition of India at the present moment with the condition of India as he left it. Then the noonday sun of prosperity was shining upon it; now a cloud eclipses its brightness, and shades and darkness are hovering around it. (*Hear.*) Having said thus much on this part of the question, not altering from the conviction which I have long entertained, that there exists a necessity, which will become every day more and more apparent, for removing Lord Amherst, I am still ready to confess that I am not prepared to shut out any defensive papers which either he or his friends may be desirous of offering on his behalf. I say that if the Court of Directors will lay before us the papers for which my honourable and learned friend calls, we are bound to wait till they are placed before us; and if they will tell us that in their opinion those papers, when examined, will remove the unfavourable impressions which we entertain against Lord Amherst, then I, for one, will support the amendment. But, I ask, if that be the case, on what grounds has a new Governor-General been proposed? I challenge you, Sir, or any of the twenty-four Directors by whom you are surrounded, to deny . . . . .

The CHAIRMAN.—In reply to the challenge, which the hon. Baronet is making, I can assure him and the Court, that neither the Duke of Buckingham, nor any other nobleman, has ever been mentioned, or proposed to me or the Court of Directors, by his Majesty's Ministers, as the future Governor-General of India.—(*Hear, hear, hear.*)

Sir C. FORBES.—I pledge my word and honour to you, Mr. Chairman, that I have heard, on what I consider good authority, that the Duke of Buckingham has been proposed to the Court of Directors, as Governor-General. The proposition may not, perhaps, have been made officially.

The CHAIRMAN.—If the hon. Baronet will tell me what he means by the word *officially*, I shall, perhaps, be better able to form an answer which will give him satisfaction. [A pause.] I now tell the hon. Bart. that the Duke of Buckingham was never proposed to me, either in my private or public capacity, verbally or by letter, in a room or out of a room, officially, or non-officially, as Governor-General for India. I think, Sir, that you are bound to accept this explanation as satisfactory—for it is made without the slightest qualification.—(*Hear.*)

Sir C. FORBES.—I admit the explanation to be satisfactory. But though the appointment of the Duke of Buckingham has not yet been mentioned to the Court of Directors, we shall see before long whether it will not be mentioned. I assert, from my own knowledge, that such a measure was in agitation—and if it did not reach the Court of Directors, I am at the same time both sorry and glad of it,—*sorry* that Lord Amherst is not to be removed, and *glad* that the Duke of Buckingham is not to be his successor! In saying this, let me not be misunderstood. I have a great respect for the character of that illustrious nobleman; but I do not think him a fit man from his habits and his education, for the Government of India. I shall not trouble the Court with any further observations at present, but shall hold myself at liberty to vote for the amendment, or for the original question, according to the information which I receive from the Chairman. I trust, however, that we shall not again be told that we must wait till further advices are received from India. We have already been waiting for them for two years; and we may wait for them for two more, if we allow ourselves to be put off by such excuses, since it is quite evident that Lord Amherst will not be anxious to send us any information, when he knows that the object of our asking for it is to procure means whereby to obtain his recall.

Mr. RANDLE JACKSON, if we heard him correctly, stated that he did not want any fresh information from India. That which had already arrived, would, he had no doubt, be quite sufficient to enable the Court to come to an adjudication on Lord Amherst's merits.

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(9) Though I must say (he added) that the more I have learnt of his administration the higher he has risen in my esteem.

A PROPRIETOR, whose name we could not learn, wished to put a question to the Chairman, in order that there might be no doubt as to the nature of the papers mentioned in the amendment. What despatches were meant by the words of the amendment? Those words were, all despatches from the Governor-General of India, respecting the commencement and conduct of the Burmese war, which were not of a secret nature. Did this mean all such despatches as were not in the secret department, or all such despatches as the Directors thought ought not to be published? As the matter was doubtful, he would be obliged to the learned mover of the amendment to say what he meant by it. It might save much future trouble to the Court.

MR. RANDLE JACKSON.—I said nothing about papers in the secret department; I spoke about such papers as were not of a secret nature. Many of the papers in the secret department are not of a secret nature, and many papers of a secret nature are not in the secret department. It is evident, that in the lapse of time many papers, which on their arrival belonged to the secret department, might be communicated to the world without any injury to the public service. If there be any such papers, relating to the Burmese war, in the secret department, I embrace them in my amendment; but, I am sure that no man will expect that I should call upon the Directors to publish that, which, if not kept secret, would prove detrimental to our interests in India. I have such confidence in the Court of Directors, that I leave it to them to decide what papers they will lay before us, and what papers they will not. It would be unworthy of the high character of the gentlemen who sit behind the bar, to suppose that they would take advantage of an equivocal to withdraw from the consideration of the Proprietors, any papers which ought to be, and could be submitted to them without any injury to the public service.

THE CHAIRMAN.—I beg leave to offer a few words to the Court upon this question, before it goes to a vote. I must, however, ask a question of the hon. Proprietor, who seconded the original resolution, before I proceed any further. Did I understand you rightly, Sir, [addressing Mr. D. Kinnaird] when I understood you to say, that the Marquis of Hastings had achieved more for us than our most successful General, notwithstanding the notorious want of the co-operation of the Directors at home, and of his coadjutors abroad in India.

MR. D. KINNAIRD intimated that the Chairman had understood him rightly.

THE CHAIRMAN.—Then, Sir, sitting in the place in which I do, I cannot allow such an assertion to go to the world uncontradicted. I state that Lord Hastings never was without the co-operation of the Court of Directors. I state that he always had their support and their confidence till lately. Nor do I mean to say that he has now lost it, though it may have been endangered recently by the indiscretion of some of his friends. It would be injustice to all parties, to let it go forth to the world, that the Marquis of Hastings had not, whilst, in India, the support and confidence of the Court of Directors. It would be acting unfairly to myself, to let such an assertion be made uncontradicted in my presence, especially as in the year 1820, when I formerly filled this chair, I and my hon. friend near me, were the humble instruments who recommended to this Court the propriety of settling 60,000*l.* upon the Marquis of Hastings. We succeeded in carrying that grant, and if that was not support and confidence, I am at a loss to know what is. This is the first time I ever opened my lips on this point, and I trust that it will also be the last. With respect to the original question now before the Court, I have sincerely to lament, that it has been brought forward at all. It has been treated, as I think, with a degree of levity which all befits its importance; and has been avowedly founded on the private communications of persons in India, to which, as I know the spirit which sometimes pervades Indian society, from having been myself in India, I do not give the same implicit confidence that others do. I am not much of an orator, but this I will say, with the most perfect conviction of its truth, that such a mode of proceeding as you are now recommended to adopt, never can support your Government in India. It is unfair and illiberal to try so distinguished an officer as your Governor-General on the private letters of interested, and, per-



haps, disappointed individuals. Whilst he is in India, you ought to support him, and should leave the superintendence of his conduct to the Court of Directors. You ought either to have confidence in the members of that Court, or remove such of them as you think have forfeited it. Tell me that I have not your confidence, and though I have served you now five-and-thirty years to the best of my abilities, I will instantly resign the power with which you have entrusted me. You ought not to complain that this war has not been brought to the speedy conclusion which you have anticipated. Most of your wars in India, though they have terminated gloriously, have commenced unsuccessfully, and that this war has been attended, in its outset, with unforeseen obstacles, ought not to surprise any of you, who recollect that it is a new, and, if I may use the expression, a *foreign* war to India. I think, therefore, that there is not sufficient ground for the motion of the hon. Member for Aberdeen; and I must say, that though I receive, as I am bound to do, all motions with respect which come from the Court of Proprietors, I am most unfeignedly sorry that this motion has been made at all. With regard to the amendment, I cannot help agreeing with the hon. and learned Proprietor who proposed it, that the Court ought not to judge without seeing the papers for which he calls. But then I have to inform you that those papers are not at present within the power of the Court of Directors to grant. I and two or three others appointed by the Legislature are acquainted with the whole of their contents; but they are not within the reach of the Directors at large. Under these circumstances, and for the reasons which I have stated, I would humbly recommend that both the original resolution and the amendment should be withdrawn by the hon. Proprietors who respectively proposed them.

MR. HUME replied. The defence which the Chairman had volunteered for Lord Amherst was most puerile and injudicious. The Burmese war, forsooth, was not to be deemed a dangerous war, because it was new and *foreign* to India. If this statement of their Chairman was correct, it contained a condemnation of Lord Amherst more severe than any which he had ventured to express, and formed a sufficient reason why we should distrust Lord Amherst, since it was a confession that he had sent his forces into a country of which he knew nothing, without even making a communication, on the propriety of doing so, to the Commander-in-Chief. He would much rather found his proceedings against Lord Amherst upon public documents than upon private information; but in the absence of public documents, he was obliged to resort to private information. He pointed out the inconsistency of Mr. Randle Jackson's present with his former conduct, and observed that his learned Friend had concurred in sending out the Marquis of Cornwallis to remove the Marquis of Wellesley, without waiting for the arrival of the very same public documents which he now so clamorously called for. If any assurance were given him that Lord Amherst had the *confidence of the Court of Directors*, he would withdraw his motion; but without a pledge was given from behind the bar, that the correspondence between the authorities in India and England should speedily be submitted to the Proprietors, he must allow it to stand. (*Hear.*)

The original motion was then put from the Chair, when only eight hands were held up in support of it. It was accordingly negatived.

The Chairman was then proceeding to put the amendment of Mr. Randle Jackson, when

Sir C. FORBES remarked that none of the candidates for the Directorship had voted on the last motion. \*

A GENTLEMAN, whose name we did not know, immediately answered, "I voted."

Sir C. FORBES.—After what has fallen from the hon. Chairman, I cannot presume to doubt any further the incorrectness of the report which I mentioned about the Duke of Buckingham. But may I be permitted to ask, whether the Directors have not one and all been canvassed, by the friends of the Duke of Buckingham, on his behalf?

The CHAIRMAN.—I have not the least hesitation in saying that I have not been canvassed by any person on behalf of the Duke of Buckingham.

Another DIRECTOR replied that *he* had not; and a reply was on the lips of two or three more gentlemen behind the Bar, when it was stopped by

The CHAIRMAN, who observed that, as he had answered for their executive, it was unnecessary for any one else to answer; besides, it was highly inconsistent with the dignity of the Directors, that they should be thus personally catechised by any private Proprietor.

Colonel ASTEL.—I beg to address a few words to the Court, in explanation of the reasons why I think the production of the papers called for by this amendment is inexpedient. I hold that the Court of Directors is the competent authority to decide what papers ought and what papers ought not to be submitted to the Court of Proprietors. Any demand of that Court I am bound, of course, to receive and respect; but before I obey it, I must be convinced of their right to make, and of the expediency to grant it. As to the expediency of granting the papers now asked for, I repeat that I cannot discover it; none has been stated even by the other side; and therefore, for that reason alone, I should object to the amendment. As to the right of the Court of Proprietors to make the grant, I trust that even if they possess, they will not press it, but will have confidence sufficient in us to believe that we will do our duty, without the instigation of those gentlemen who amuse themselves by perpetually calling upon us to do that which we are willing to do without them.

Mr. HUME.—I cannot allow this amendment to go to the vote without saying that I too have heard the report to which my hon. Friend on the other side of the Court (Sir C. Forbes) has alluded. I heard that a successor to Lord Amherst was to be appointed, and that the only reason why the appointment had not been publicly announced was, that the members of Government could not agree among themselves on whom that appointment should fall. With regard to this amendment, I see clearly that, if it be negatived, the question of further information is hopeless, and India must receive protection from some other quarter than from this Court.

The amendment was then put from the Chair. Only six hands were held up in its favour. It was consequently negatived.

A conversation then took place as to the adjournment of the Court. It was unanimously agreed that it should be adjourned.

Mr. RANDLE JACKSON gave notice, that if some measures were not taken by high authority, in the course of the next Session of Parliament, to put an end to the sacrifice of suttee, or the assassination of widows in India by fire, he should certainly make some proposition in that Court regarding it.

Sir JOHN DOYLE said, that he must postpone to a future day the notice of motion, which he had given respecting the Oude Papers, in consequence of the illness of a Director who was personally concerned in them.

On the motion of Mr. R. Jackson, the Court was adjourned to the 18th of January.

Mr. HUME wished to know whether the Court would take into consideration upon that day the two requisitions to which his name was attached, without his giving them afresh to the Directors.

The CHAIRMAN replied—"Certainly, the next Court day is but a continuance of the present. Any business which might have been brought on to-day may be brought on then."

Mr. D. KINNAIRD wished to have it distinctly understood, whether the advertising of the questions proposed by two Proprietors was to be left entirely to the discretion of the Court of Directors.

The CHAIRMAN replied, that he thought that it would be better if the matter were so left. If a notice for calling a Court on any particular question were signed by nine Proprietors, it must in that case be advertised.

Mr. HUME said, that if the Court would not undertake to advertise the subjects which were to come before it at its next meeting, he would give them in a requisition signed by nine persons calling on them to do so. The man-

ner in which the Directors usually exercised their discretion made him anxious to leave nothing to it.

Sir JOHN DOYLE wished to know, whether the questions already advertised would come under discussion at the next meeting of the Court, because, if they did, the motion which he intended to submit on the Oude Papers could not possibly come on, unless gentlemen made much shorter speeches than they were accustomed to.

The DEPUTY CHAIRMAN, in reply to Sir John Doyle's question, said, that the order of business would depend upon the course pursued by the gentlemen who had just handed up the requisition. If the Court were made special for a motion signed by nine Proprietors, it could not regularly be considered as an adjournment of the present quarterly Court; but if the present Court were adjourned to the 18th of January, all parties would stand in the same situation in which they were placed to day. As to the advertising the questions to be brought under consideration, he was of opinion, that it might be safely left to the discretion of the Court of Directors, in order that it might have an opportunity of preventing publicity from being given to any matter which they considered of dangerous tendency.

Mr. HUME, in order to take the discretion out of the hands of the Directors, tendered the requisition of which he had before spoken.

Mr. RANDLE JACKSON concurred in the law which had been laid down by the Deputy Chairman, at the same time he thought that it would be advisable that the subject of their discussions should be advertised in the usual way.

A desultory conversation arose upon this point, which was terminated by Mr. Hume's withdrawing his requisition, upon an understanding that the subjects for their discussion should be advertised as formerly.

The Court then broke up at half past six o'clock.

## CIVIL AND MILITARY INTELLIGENCE.

### CIVIL SERVICE OF INDIA.

#### BENGAL.

*Fort William*.—May 27. Lieut J. Frederick, 67th N.I. to be Assistant to the Resident of Lucknow.—July 5. Major Hyatt, Assist. Sec. to Government.

#### BOMBAY.

Junior Merchants—Messrs. Taylor, Wathen, Lumsden, Kentish, Boyd, Greenhill, Gardner, Williams, and Bouchier—to be Senior Merchants, from 9th May 1825.

Factors—Messrs. Oakes, Little, Reid, Giberne, Torin, Forbes, R. Mills, and E. B. Mills—to be Junior Merchants, from 2d April.

Writers—Messrs. Blane, Holland, Arbuthnot, Dent, Jackson, Bell, Elphinstone, Warden, Houlton, Ravenshaw, Farquharson, Willes, Hornby, Pringle, Montgomerie, and Charuill—to be Factors, from 7th June 1825.

### EAST INDIA COMPANY'S ARMY.

#### BENGAL.

##### MILITARY APPOINTMENTS.

*Head Quarters, Calcutta*.—June 21. Ensigns Lamb and Taylor, to do duty with 1st European regt. at Ghazee pore; Ensigns Hicks and Frederick, with the 67th regt. at Dinapore; Ensigns Andrew, King, and F. Seaton, with the 2d Eur. regt. at ditto; Ensigns A. Mackenzie, G. Timins, and J. Macleod, with the 16th N.I. at Barrackpore; Ensigns Woods and Hill with the 61st N.I. at ditto; Ens. Leacock, with the 30th N.I. at Midnapore.—22. Lieut. Moule, 23d N.I. to act as Adjutant to the 1st extra regt., temporary arrangement; Lieut. Lawrence, to act as Interp. and Quarterm. to the 22d L. Cav. during the absence of Lieut. Wheler on duty; Ens. Nelson, to act as Adjut. to the companies of the 1st L. I., left at Arracan; Lieut. Delamaine,

66th N.I. to act as Station Major of Brigade at Cawnpore, temp. arr.; Lieut. Paul, to act as Adjut. to the regt. v. Delamaine.—24. Capt. Denby, 20th N.I. to officiate as Interp. to H.M.'s 31st regt. and to proceed to Berhampore; Mr. R. Kemball, Ass. Com. of Ord., transferred to the Invalid Estab. at his own request; Lieut. and Adj. W. Town, to be Station Postmaster at Rangoon, and to draw an allowance of 100 rupees per mensem for the duty in question.—25. Capt. Eckford, 6th N.I. appointed a Member of the Arsenal Committee, till further orders.—27. Brev. Capt. and Lieut. Jones to be Adjut. to the left wing of the 5th regt.; Lieut. Spens appointed Adjut. to the 7th extra regt.; Lt. J.T. Croft, 34th N.I. to be Adj. v. Cowley, removed to the 35th regt.; Lt. R. Angelo to be Interp. and Quarterm. vice Marshall, rem. to the 35th regt.; Lieut. C.W. Cowley, 35th N.I. to be Adjut. v. Croft, rem. to the 34th regt.; Lieut. J.R. Troup, 36th N.I. to be Adjut. v. Barstow, rem. to the 37th regt.; Lieut. J.A. Barstow, 37th N.I. to be Adjut. v. Lloyd, rem. to the 36th regt.; Lieut. C.R. Bellew to be Interp. and Quarterm. v. Troup, rem. to the 36th regt.; Ens. R. Nelson, 56th N.I. to be Adjut. to the 1st Light Infantry batt. v. Steele, prom.; Lieut. J. Thompson, of the Sappers and Miners, to be Adj.; Capt. J. Wilkie, of the Pioneers, 8th N.I. to be Commandant, v. Swinton; Local Lieut. J.M. Turnbull, 8th Local Horse, to be Adjut. v. Comyn, who resigns.

Major-Gen. Dalzell, commanding the Presidency Division, will be pleased to inspect the commissioned and non-commissioned officers and men of the late Bencoolen Local batt., who have availed themselves of the option given to return to Bengal, and who have volunteered their services, in their actual ranks, to any of the general service corps on this establishment; and will allow such of them as he deems fit for that branch of the service, to select the regiments which they may wish to join.

July 1. Lieut. J. Heaven, 16th regt. N.I. is transferred, at his own request, to the Invalid Establishment; Capt. W. Bayley, 31th N.I. is transferred to the Pension Establishment.

#### GENERAL ORDER.

*Head Quarters, Calcutta*, June 22.—With the sanction of Government, a troop of European Horse Artillery, to be denominated the 8th troop, is to be formed immediately at Cawnpore.

#### NEW ARRANGEMENT OF ARTILLERY.

##### GENERAL ORDERS OF THE GOVERNOR-GENERAL.

*Fort William*, June 21th, 1825.—With a view to place the Artillery, as far as is practicable at present, on the establishment prescribed by the Hon. the Court of Directors, as published to the Army in General Orders of the 6th May 1824, the Governor-General in Council is pleased to direct, that the following arrangements shall have effect from the 1st proximo:

The Horse Artillery will be formed into three Brigades, as follows:

*1st Brigade, Head Quarters, Cawnpore.*—1st troop, the present 1st troop (European) now at Rangoon; 2d troop, the 8th or newly formed troop (European) now at Cawnpore; 3d troop, (European) to be raised hereafter; 4th troop, (Native) the 4th troop now at Neemuch.

*2d Brig., Meerut.* 1st troop, the present 2d troop, (European) now at Meerut; 2d troop, the present 7th troop (European), half at Meerut and half at Rangoon; 3d troop (European), to be raised hereafter, (European); 4th troop, the present 5th (Native) troop.

*3d Brig., Meerut.* 1st troop, the present 3d troop (European), at Meerut; 2d and 3d troops to be raised hereafter, (European); 4th troop, the present 6th (Native) troop, at Meerut.

The European Foot Artillery is to be formed into five battalions, as follows:

*1st Battalion, Head Quarters, Agra.*—1st company, the present 1st comp. 1st batt. at Nusserabad; 2d ditto, 2d ditto, 1st ditto, at Agra; 3d ditto, 8th ditto, 1st ditto, at Agra; 4th ditto, 2d ditto, 3d ditto, at Kurnaul.

*2d Batt., Dum-Dum.*—1st comp. the present 1st comp. 2d batt.; and 2d ditto, 5th ditto, 2d ditto, at Dum-Dum; 3d ditto, 6th ditto, 2d ditto; and 4th ditto, 7th ditto, 2d ditto, at Arracan.

*3d Batt., Cawnpore.*—1st comp. the present 1st comp. 3d batt.; and 2d ditto, 5th ditto, 3d ditto, at Cawnpore; 3d ditto, 6th ditto, 1st ditto, at Saugor; 4th ditto, 7th ditto, 1st ditto, at Cawnpore.

*4th Batt., Benares.*—1st comp. the present 3d comp. 1st batt. at Dinapore; 2d ditto, 5th ditto, 1st ditto, at Allahabad; 3d ditto, 3d ditto, 3d ditto, at Benares; 4th ditto, 4th ditto, 1st ditto, at Dum-dum.

*5th Batt., Dum-Dum.*—1st comp. the present 4th comp. 3d batt.; and 2d ditto, 6th ditto, 3d ditto, at Dum-Dum; 3d ditto, 7th ditto, 3d ditto; and 4th ditto, 8th ditto, 3d ditto, in Ava.

The 2d, 3d, 4th and 8th companies of the present 2d batt. of Artillery are to be reduced, and the non-commissioned officers and privates transferred to complete the remaining twenty companies, under instructions which will be issued by the Commander-in-Chief.

The term brigade is to be adopted in the Horse Artillery for each division of four troops, and the term battalion is to be continued in the Foot Artillery for each division of four European companies.

#### NEW REGIMENTS OF INFANTRY.

##### GENERAL ORDERS OF THE COMMANDER-IN-CHIEF.

*Calcutta*, July 1, 1825.—The Right hon. the Governor-General in Council, in pursuance of the orders of Government, under date the 13th May, directing twelve extra regiments of Native Infantry to be added to the establishment, six of which are to be completely officered, is pleased to make the following Promotions, Transfers, and Postings of European officers. The Promotions now made to take place from the 13th May 1825.

*Infantry.*—Senior Lieut.-Cols. C. S. Fagan, W. S. Heathcote, T. D. Broughton, M. Boyd, J. M'Innes, and A. Campbell (deceased), to be Lieut.-Colonels Commandant, for the augmentation; Sen. Major J. Delamain, A. Stoueham, B. Roope, P. Le Fevre, J. Simpson, J. Bryant, C. W. Hamilton, T. Murray, P. Starling, E. F. Waters, J. Nesbitt, and N. Bucke, to be Lieut.-Cols.

*1st Europ. Regt.* Capt. A. Brown to be Major; Brevet-Capt. and Lieut. D. Ruddell to be Capt. of a company; and Ens. H. Candy to be Lieut.; in succession to Bryant, promoted.—Lieut. W. Davison to be Capt. of a company, and Ens. A. Grant to be Lieut., vice Smith, removed to the 6th extra regt.—Ens. G. Miller is removed, as Senior Ensign to the 5th extra regiment.

*2d Europ. Regt.* Ens. A. Stewart to be Lieut., vice Harvey, removed to the 5th extra regt.

*1st Regt. N. I.* Ens. H. P. Burn to be Lieut., vice Bunyon, removed to the 6th extra regt.

*2d Regt. N. I.* Capt. G. Engleheart to be Major; Brevet-Capt. and Lieut. J. J. Tillotson to be Capt. of a company; and Ens. A. Bogle to be Lieutenant, vice Simmons, removed to the 2d extra regt.—Ensigns R. Woodward and P. Harris to be Lieuts., vice Hickman and Oliver, removed to the 2d and 5th extra regts. respectively.

*3d Regt. N. I.* Lieut. T. E. Soady to be Capt. of a company, and Ens. W. Little to be Lieut., vice Bayldon, removed to the 3d extra regt.

*4th Regt. N. I.* Ensigns G. Salter and H. Wilson to be Lieuts., vice Hickman and Macdonald, removed to the 1st extra regt.

*5th Regt. N. I.* Brevet-Capt. and Lieut. S. Swaine to be Capt. of a company, and Ens. E. R. Spilbury to be Lieut., vice Jeremie, removed to the 3d extra regt.—Ens. W. Thursby to be Lieut., vice Spens, rem. to the 6th extra regt.

*6th Regt. N. I.* Capt. T. Taylor to be Major; Brevet-Capt. and Lieut. J. G. Drummond to be Capt. of a company; and Ens. O. B. Thomas to be Lieut., vice Nesbitt, promoted.—Ensigns C. G. Ross and R. Wyllie to be Lieuts., vice Farquharson and Macegeorge, removed to the 6th and 3d extra regts. respectively.

*7th Regt. N. I.* Brevet-Capt. and Lieut. Griffiths Holmes to be Capt. of a company, and Ens. W. H. R. Boland to be Lieut., vice Bradby, removed to the 4th extra regt.—Ens. J. Iveson to be Lieut., vice M'Cauleland, removed to the 2d extra regt.

*8th Regt. N. I.* Capt. H. D. Showers to be Major, for the augmentation,

and removed to the 4th extra regt.—Brevet-Capt. and Lieut. J. Hall to be Capt. of a company, and Ens. J. P. Farquharson to be Lieut., vice Showers, promoted and removed to the 4th extra regt.

*9th Regt. N. I.* Brevet-Capt. and Lieut. J. Manson to be Capt. of a comp., for the augmentation, and removed to the 4th extra regt.—Ens. G. B. Michell to be Lieut., vice Mauson, promoted and removed to the 4th extra regt.

*10th Regt. N. I.* Ens. F. W. Hardwick to be Lieut., vice Carter, removed to the 5th extra regt.—Ens. R. M. Hunter to be Lieut. for the augmentation, and removed as 10th Lieut. to the 5th extra regt.

*11th Regt. N. I.* Capt. R. Braddon to be Major; Brevet-Capt. and Lieut. D. Hepburn to be Captain of a company; Ens. C. H. Thomas to be Lieut., v. Lloyd, removed to the 3d extra regt.—Ens. T. F. Blois to be Lieut., v. Patch, removed to the 5th extra regt.—Ens. H. Foquett is removed as Senior Ensign to the 4th extra regt.

*12th Regt. N. I.* Ensigns A. Barclay and H. Kirke to be Lieuts., v. Wright and Gordon, removed to the 4th extra regt.

*13th Regt. N. I.* Capt. C. Frye to be Major; Brevet-Capt. and Lieut. S. L. Thornton to be Capt. of a company; and Ens. J. Craigie to be Lieut., vice Hamilton, promoted.—Brevet-Capt. and Lieut. A. Davidson to be Capt. of a company; and Ens. R. M'Murdo to be Lieut., vice Munro, removed to the 6th extra regt.—Ens. W. J. Cade to be Lieut., vice Beatson, removed to the 4th extra regt.

*14th Regt. N. I.* Ens. F. Gresley to be Lieut., vice Worsley, removed to the 6th extra regt.—Ens. J. Robertson is rem. as 2d Ensign to the 3d extra regt.

*15th Regt. N. I.* Ensigns J. V. Forbes and G. Abbott to be Lieutenants, v. Sim and M'Nair, rem. to the 1st and 5th extra regts. respectively.

*16th Regt. N. I.* Ens. E. R. Malnwarding to be Lieut., vice Bolsragon, rem. to the 4th extra regt.

*17th Regt. N. I.* Ens. J. H. Wakefield to be Lieut., vice Mackenzie, rem. to the 6th extra regt.

*18th Regt. N. I.* Ens. J. C. C. Gray to be Lieut., vice Betts, removed to the 21st extra regt.

*19th Regt. N. I.* Brevet-Capt. and Lieut. G. Maver to be Capt. of a comp., and Ens. J. Stephen to be Lieut., vice Williamson, rem. to the 1st extra regt.—Ens. G. W. A. Nares to be Lieut. for the augmentation, and removed as 10th Lieut. to the 6th extra regt.

*20th Regt. N. I.* Ens. H. Jackson Ximenes to be Lieut., vice Stewart, rem. to the 4th extra regt.—Ens. W. J. Rind is removed as Senior Ensign to the 3d extra regt.

*21st Regt. N. I.* Brevet-Capt. and Lieut. W. Simonds to be Capt. of a company; and Ens. T. H. G. Besant to be Lieut., vice Graham, removed to the 4th extra regt.

*22d Regt. N. I.* Capt. J. Duncan to be Major, for the augmentation, and rem. to the 6th extra regt.—Brevet-Capt. and Lieut. R. Chalmers to be Capt. of a company; and Ens. N. S. Nesbitt to be Lieut., vice Duncan, prom. and rem. to the 6th extra regt.—Ens. G. Halhed to be Lieut., vice Mostyn, rem. to the 5th extra regt.

*23d Regt. N. I.* Ens. H. Becher to be Lieut., vice Hall, removed to the 2d extra regt.

*24th Regt. N. I.* Ens. A. Tweedale to be Lieut. for the augmentation, and removed to the 4th extra regt.

*25th Regt. N. I.* Ens. J. A. Wood to be Lieut., vice Kennedy, removed to the 6th extra regt.

*26th Regt. N. I.* Ens. H. Johnson to be Lieut., vice Robertson, removed to the 3d extra regt.

*27th Regt. N. I.* Brevet-Capt. and Lieut. A. Gerrard, to be Capt. of a company; Ens. P. Hopkins to be Lieut., vice Murray, rem. to the 5th extra regt.

*28th Regt. N. I.* Capt. W. Hyatt (deceased), to be Major; Brevet-Capt. and Lieut. J. T. Lewis to be Capt. of a company; and Ens. R. Smith to be Lieut., vice Simpson, prom.—Brevet-Capt. and Lieut. T. W. Incell to be Capt. of a company; and Ens. W. Murray to be Lieut., vice Armstrong, rem. to the 5th

extra regt.—Ensign E. T. Tierney to be Lieut., v. May, removed to the 4th extra regt.

29th Regt. *N. I.* Lieut. C. H. Marley to be Capt. of a company; and Ensign A. Park to be Lieut., vice Foster, rem. to the 4th extra regt.

30th Regt. *N. I.* Brevet-Capt. and Lieut. W. H. Whinfield to be Capt. of a company; and Ens. A. Jackson to be Lieut., vice Crichton, removed to the 1st extra regt.

32d Regt. *N. I.* Capt. J. W. Loder to be Major; Lieut. W. F. Steer to be Capt. of a company; and Ens. J. S. Davies to be Lieut., vice Starling, prom.—Lieut. J. Campbell is removed to the 4th extra regt.

33d Regt. *N. I.* Ens. J. D. Nash to be Lieut. in succession to Bolton, rem. to the 2d extra regt.

34th Regt. *N. I.* Capt. M. C. Webber to be Major; Lieut. P. W. Grant to be Capt. of a company; and Ens. C. B. Leicester to be Lieut., vice Waters, promoted.—Ens. W. Alston is rem. as 2d Ensign to the 3d extra regt.

36th Regt. *N. I.* Capt. W. Gage to be Major; Brevet-Capt. and Lieutenant S. P. C. Humfrays to be Capt. of a company; and Ens. F. G. Nicolay to be Lieut., vice Le Fevre, prom.—Brevet-Capt. and Lieut. G. Chapman to be Capt. of a company, in succession to Salmon, rem. to the 4th extra regt.—Lieut. A. C. Scott is rem. to the 2d extra regt.

37th Regt. *N. I.* Brevet-Capt. and Lieut. J. W. Prideaux to be Capt. of a company; and Ens. G. E. Westmacott to be Lieut., vice Buckley, rem. to the 2d extra regt.—Ens. A. Spottiswood to be Lieut., vice Balderston, removed to the 4th extra regt.

38th Regt. *N. I.* Brevet-Capt. and Lieut. S. M. Horsburgh to be Capt. of a company; and Ens. W. J. B. Kuyvett to be Lieut., vice Aubert, rem. to the 2d ext. regt.—Ens. T. H. Scott to be Lieut., v. Brown, rem. to the 1st ext. regt.

39th Regt. *N. I.* Brevet-Capt. and Lieut. J. J. Casement, to be Capt. of a company; and Ens. W. E. Hay, to be Lieut., vice Cowlade, rem. to the 2d extra regt.—Ens. W. Hislop to be Lieut., in succession to Garrett, rem. to the 1st extra regt.

40th Regt. *N. I.* Capt. C. R. Skardon to be Major; Lieut. H. D. Coxe to be Capt. of a company; and Ens. G. M. Pilgrim to be Lieut., vice Murray, prom.—Ens. H. C. Wilson to be Lieut., vice Cooper, rem. to the 3d extra regt.

41st Regt. *N. I.* Ensign H. Alpe to be Lieut. in succession to Wintle, rem. to the 3d extra regt.

42d Regt. *N. I.* Ensign R. E. Blackburn (deceased), to be Lieut., in suc. to Stewart, removed to the 1st extra regt.

43d Regt. *N. I.* Ensign T. Dixon to be Lieut., in suc. to Home, removed to the 2d extra regt.

44th Regt. *N. I.* Ensign J. M. Farnworth to be Lieut., in suc. to Sinclair, removed to the 2d extra regt.

45th Regt. *N. I.* Lieut. C. M. Wade to be Capt. of a company, and Ensign H. T. Wheler to be Lieut., vice Stirling, rem. to the 6th extra regt.

46th Regt. *N. I.* Brevet-Capt. and Lieut. W. B. Girdlestone to be Capt. of a company; and Ensign C. H. Whitfield to be Lieut., vice Brandon, rem. to the 1st extra regt.

48th Regt. *N. I.* Capt. J. Craigie to be Major; Brevet-Capt. and Lieut. W. Sage to be Capt. of a company; and Ensign G. Byron to be Lieut., vice Heathcote, rem. to the 1st extra regt.—Brevet-Capt. and Lieut. J. Bedford to be Capt. of a company; and Ens. E. C. Macpherson to be Lieut., v. Johnston, rem. to the 6th extra regt.—Ensign A. Mackenzie to be Lieut., in succession to Charlton, removed to the 6th extra regt.

49th Regt. *N. I.* Ensign R. F. Macvite to be Lieut., in suc. to White, rem. to 6th extra regt.—Ensign J. L. Murray is removed as 2d Ensign to the 1st extra regt.

50th Regt. *N. I.* Ensign Keith Young to be Lieut., in succession to Thomas, removed to the 5th extra regt.

51st Regt. *N. I.* Brevet-Capt. and Lieut. J. Price to be Capt. of a company, for the augmentation, and rem. to the 5th extra regt.—Ensigns C. Baseley and C. Cheape to be Lieutenants, in suc. to Price and Pollard, rem. to the 5th and 1st extra regts. respectively.

52d Regt. *N. I.* Ensign J. W. H. Jamieson to be Lieut., in suc. to Menteath, removed to the 1st extra regt.

53d Regt. *N. I.* Ens. J. Beresford to be Lieut. vice Mercer, removed to the 2d extra regiment.

54th Regt. *N. I.* Ens. H. Vetch to be Lieut., vice Stewart, removed to the 3d extra regt.—Ens. R. Hill is removed as 1st Ens. to the 2d extra regt.

55th Regt. *N. I.* Brevet-Capt. and Lieut. J. H. Simmonds to be Capt. of a company, and Ens. E. Meade to be Lieut., vice Home, removed to the 5th extra regt.—Ens. J. Fulton to be Lieut., in succession to Stapleton, removed to the 5th extra regt.

56th Regt. *N. I.* Brev.-Capt. and Lieut. O. Phillips to be Capt. of a company, and Ens. R. Nelson to be Lieut., vice Young, rem. to the 2d ext. regt.—Ens. F. E. Smith is removed as 1st Ens. to the 1st extra regt.

57th Regt. *N. I.* Ens. L. Hone to be Lieut., in succession to Marshall, removed to the 3d extra regt.

58th Regt. *N. I.* Ens. J. C. Lumsdaine and H. Hunter to be Lieuts., in succession to Williams and Cumberlege, removed to the 2d and 5th extra regts. respectively.

59th Regt. *N. I.* Ens. E. Kelly to be Lieut. in succession to Kinloch, removed to the 3d extra regt.

60th Regt. *N. I.* Brevet-Capt. and Lieut. J. Gouldhawke to be Capt. of a company, and Ens. W. Riddleil to be Lieut., vice Norton, removed to the 1st extra regt.

61st Regt. *N. I.* Brevet-Capt. and Lieut. B. Maltby, to be Capt. of a company, and Ensign P. P. Turner to be Lieut., vice Wotherspoon, removed to the 2d extra regt.—Brevet Capt. and Lieut. J. R. Stock to be Capt. of a company and removed to the 6th extra regt.—Ensign H. C. Talbot to be Lieut., in succession to Stock, promoted and removed to the 6th extra regt.

62d Regt. *N. I.* Capt. E. B. Higgins to be Major; Brevet-Capt. and Lieut. B. Ashe to be Capt. of a company; and Ensign H. Beaty to be Lieut., vice Roope, promoted.—Ensign W. T. Johnson to be Lieut., in succession to Marshall, removed to the 3d extra regt.

63d Regt. *N. I.* Brevet-Capt. and Lieut. J. B. Smith to be Capt. of a company; and Ensign W. F. Grant to be Lieut., vice Anderson removed to the 3d extra regt.—Ensign J. H. Blanshard to be Lieut. in succession to Wroughton, removed to the 1st extra regt.

64th Regt. *N. I.* Capt. Irwin Maling to be Major; Brev.-Capt. and Lieut. W. Jover to be Capt. of a company; and Ensign F. Knyvett to be Lieut., vice Burke, promoted—Brevet-Capt. and Lieut. F. Mackenzie to be Capt. of a company; and Ensign C. B. Kennet to be Lieut. vice Davies, removed to the 3d extra regt.—Ensign C. Prior to be Lieut., in succession to Pollock, removed to the 3d extra regt.

65th Regt. *N. I.* Capt. F. Walker to be Major; Brevet-Capt. and Lieut. G. J. B. Johnstone to be Capt. of a company; and Ens. D. Preston to be Lieut. v. Delamain, prom.—Brevet-Capt. and Lieut. W. Bacon to be Capt. of a company, and Ens. G. Urquhart to be Lieut. v. Lloyd, rem. to the 3d extra regt.—Ens. M'Dowell Kerr to be Lieut. in succ. to Roebuck, rem. to the 3d extra regt.

66th Regt. *N. I.* Capt. W. Skene to be Major for the augmentation, and rem. to the 5th extra regt.—Brevet-Capt. and Lieut. J. Grant to be Capt. of a company, and Ens. W. Souter to be Lieut. v. Skene, prom. and rem. to the 5th extra regt.—Ensign S. W. Brown to be Lieut. in succ. to R. D. White rem. to the 1st extra regt.

67th Regt. *N. I.* Capt. T. Baron to be Major; Brevet-Capt. and Lieut. A. M'Mahon to be Capt. of a company; and Ens. H. O. Frederick to be Lieut. v. Stoneham, prom.—Brevet-Capt. and Lieut. R. S. Phillipps to be Capt. of a company, and Ens. J. W. Hicks to be Lieut. v. Qates, rem. to the 5th extra regt.—Ens. M. Huish is rem. as senior Ens. to the 6th extra regt.

68th Regt. *N. I.* Brevet-Capt. and Lieut. J. Thompson to be Capt. of a company, and Ens. C. S. Maling to be Lieut. v. Penny, rem. to the 1st extra regiment.

69th Regt. *N. I.* Ens. G. C. Armstrong and C. Boulton to be Lieuts., in



succession to Cumberlege and Sage, removed to the 6th and 4th extra regts. respectively.

FORMATIONS OF THE NEW REGIMENTS OF NATIVE INFANTRY.

*1st Regt. N. I.* Maj. G. D. Heathcote from the 48th regt.; Capt. G. Williamson, from the 19th do.; Capt. D. Crichton, from the 30th do.; Capt. H. Norton, from the 60th do.; Capt. J. Brandon, from the 46th do.; Capt. N. Penny, from the 68th do.; Lieut. J. M. Sim, from the 15th do.; Lieut. J. P. Hickman, from the 4th do.; Lieut. W. Brown, from the 38th do.; Lieut. R. Wroughton, from the 63d do.; Lieut. R. D. White, from the 66th do.; Lieut. R. Garrett, from the 39th do.; Lieut. J. Pollard, from the 51st do.; Lieut. R. Stewart, from the 42d do.; Lieut. R. Macdonald, from the 4th do.; Lieut. W. S. Menteath, from the 52d do.; Ens. F. E. Smith, from the 56th do.; Ens. J. L. Murray, from the 19th ditto.

*2d Extra Regt. N. I.* Maj. E. Simons, from the 2d regt.; Capts. J. Aubert, do. 38th do.; F. Buckley, do. 37th do.; G. Young, do. 56th do.; J. Cowslade, do. 39th do.; and J. C. Wotherspoon, do. 61st do.; Lieuts. T. Williams, do. 58th do.; G. W. J. Hickman, do. 2d do.; G. M. Home, do. 43d do.; A. Mercer, do. 53d do.; Hon. P. C. Sinclair, do. 44th do.; J. K. McCausland, do. 7th do.; A. C. Scott, do. 36th do.; E. J. Betts, do. 18th do.; T. W. Bolton, do. 38th do.; and W. L. Hall, do. 23d do.; Ens. R. Hill, do. 54th do.; and J. Robertson, do. 14th do.

*3d Extra Regt. N. I.* Major W. Lloyd, from the 11th regt.; Capts. J. Anderson, do. 63d do.; P. Jeremie, do. 5th do.; G. W. A. Lloyd, do. 65th do.; J. Davies, do. 64th do., and R. Bayldon, do. 3d do.; Lieuts. J. S. Marshall, do. 57th do.; E. Marshall, do. 62d do.; M. C. Pollock, do. 64th do.; G. D. Roebuck, do. 65th do.; G. Kinloch, do. 59th do.; E. Wintle, do. 41st do.; W. G. Cooper, do. 40th do.; W. McGeorge, do. 6th do.; B. Stewart, do. 54th do.; and W. E. Robertson, do. 26th do. Ensigns W. J. Rind, do. 20th do., and W. Alston, do. 34th do.

*4th Extra Regt. N. I.* Major H. D. Showers, from the 8th regt.; Capts. W. B. Salmon, do. 36th do.; E. D. Bradby, do. 7th do.; J. Graham, do. 21st do.; R. Forster, do. 29th do.; and J. Manson, do. 9th do. Lieuts. N. Stewart, do. 20th do.; A. Wright, do. 12th do.; J. F. May, do. 28th do.; A. D. Gordon, do. 12th do.; R. W. Beatson, do. 13th do.; I. C. Sage, do. 69th do.; D. Balderston, do. 37th do.; J. Campbell, do. 32d do.; C. H. Boisragon, do. 16th do.; and A. Twcedale, do. 21th do.; Ensign H. Foquett, do. 11th do.

*5th Extra Regt. N. I.* Major W. Skene, from the 67th regt. Capts. W. A. Yates, do. 67th do.; R. Home, do. 55th do.; R. Armstrong, do. 24th do.; R. H. Murray, do. 27th do.; and J. Price, do. 51st do. Lieuts. H. Carter, do. 10th do.; J. Oliver, do. 2d do.; H. Patch, do. 11th do.; J. S. Mostyn, do. 22d do.; Hon. W. Stapleton, do. 55th do.; R. A. Cumberlege, do. 58th do.; R. McNair, do. 15th do.; F. Thomas, do. 50th do.; G. D. Harvey, do. 2d E. R.; and R. M. Hunter, do. 10th regt.; Ensign G. Miller, 1st E. R.

*6th Extra Regt. of N. I.* Major J. Duncan from the 22d regt.; Capts. C. C. Smith, do. 1st E. R.; W. Stirling, do. 45th regt.; C. A. Munro, do. 13th regt.; J. Jobustone, do. 48th do.; and J. R. Stock, do. 61st do.; Lieuts. A. Farquharson, do. 6th do.; J. Bunyon, do. 1st do.; H. Mackenzie, do. 17th do.; A. Speus, do. 5th do.; J. White, do. 49th do.; N. J. Cumberlege, do. 69th do.; A. Charlton, do. 48th do.; H. N. Worsley, do. 14th do.; W. D. Kennedy, do. 25th do.; and G. W. A. Nares, do. 19th do.; Ens. M. Huish, do. 67th do.

N. B. By the augmentation of two regiments of Light Cavalry and six of Native Infantry to the establishment, the following officers become entitled to the benefits of the Off-Reckoning Fund.

*Cavalry.* Lieuts. Cols. Commandants J. Nuthal and F. Fitzgerald.

*Infantry.* Lieuts. Cols. Commandants T. Littlejohn, J. Shapland, W. Case-ment, M. White, W. Croxton, and J. R. Lumley.

(Signed)

WM. CASEMENT, Lieut. Col.  
Sec. to Govt. Mil. Dept.

By Order of His Excell. the Com. in Chief,

W. L. WATSON,  
Adjut. Genl. of the Army.

## ADJUSTMENT OF RANK.

*Fort William, July 1, 1825.* The Gov.-Gen. in Council is pleased to make the following adjustment of rank in the late 28th regt. N. I. in consequence of the Hon. the Court of Directors having ordered Lieut. and Brevet-Capt. Cotes to be struck off from the 23d June, 1820.—Lieut. H. W. Bellew to rank from the 1st Jan. 1821, v. Cotes struck off; rank restricted to the date of his appointment to the regt.; Lieut. P. A. Fleming to rank from the 6th May 1821, v. Turner, deceased; Lieut. J. Dade, to rank from the 30th Jan. 1821, v. Hardy, promoted.

## POSTINGS.

June 25. The undermentioned Brigade Majors are posted as follows:—Captains: Home to Cawnpore; D. D. Anderson to Merut; Shulldham to Barrackpore; and Hay to Bundelcund.—Capt. R. Roberts, and First Lieuts. Mackay and Ewart, are posted to the new troop of Horse Artillery:

## MEDICAL REMOVALS AND POSTINGS.

*Fort William.*—June 2. All Assist. Surgeons in H. M's regts. who arrived at Bengal on or before the 31st Dec. 1823, are considered entitled to the additional allowance granted to Assist. Surgeons on the Bengal establishment.—22. Surgeon E. McDonald, rem. from 48th N. I. and posted to the 1st Eur. regt. L. C. at Cawnpore; Mr. A. B. Webster is admitted as Assist. Surgeon.—25. Assist. Surg. H. Taylor, to join the new troop of Horse Artillery at Merut.—27. Assist. Surg. J. Smith, attached to the Garrison of Chunar, to do duty with the 8th extra regt. at Azimgurh.

## FURLONGHS.

*Head Quarters, Calcutta.*—June 22. Lieut. Col. Commr. J. M. Johnson, 30th N. I. to the Presidency, prep. to application for furlough to Europe.—24. Lieut. J. Whitford, 65th N. I., to China.—July 1. The conditional permission granted to Capt. C. Chesney, of the regt. of Artill. in Gen. Orders, No. 167 of the 3d ult., to proceed to Europe on furlough, on account of his health, is hereby confirmed. Ensign R. Meares, to Europe, for health.

## BOMBAY.

## MILITARY APPOINTMENTS.

*Bombay Castle.*—July 1, 1825. Capt. F. P. Lester, 2d Deputy, to act as Sen. Dep. Commissary of Ordnance, during the absence of Capt. Campbell; Lieut. Low, of the Artill. to act for Capt. Lester. 2. Lieut. R. Phillips, 1st or Gren. N. I. to be Interp. in the Hindoostanne and Mahratta languages, and Quartermaster, vice Norton, gone to Europe. 9. Lieut. G. Magan, 15th N. I. to officiate as Interp. in the Hindoostanne and Mahratta languages to the 12th N. I. until further orders; Lieut. W. C. Harris, Engineer, to be Draftsman to the Chief Engineer, vacant by Lieut. Bordwine's nomination to Sattarah. 14. Lieut. Rowland, of Artillery, to superintend the public buildings erecting at Rajcote, temp. arr.; Lieut. R. Woodhouse, 5th N. I. to be Line Adjut. vice Troward, prom.; Ensign H. Wood to be Interp. in the Hindoost. and Mahratta languages, and Quartermaster, v. Woodhouse. 16. Lieut. Stalker, 19th N. I., to officiate as Staff officer to the Field Detach. in the Myheekhanuta; Lieut. Ribenack, 18th N. I. to act as do. do. in Wagur; Lieut. C. S. Stewart to be Adjut., vice Victor, prom.; Lieut. Yeadell, Dep. Commis. of Stores, to conduct the duties of the Ordnance Depart. in the absence of Capt. Campbell.

## GENERAL ORDER.

*Bombay Castle, July 16, 1825.*—The Hon. Governor in Council is pleased to authorize the whole of the Brigadiers on this establishment to draw, from 1st March last, the scale of allowance for Brigadiers of the first class.

## PROMOTIONS.

*Bombay Castle, July 16.*—11th N. I. Ensign G. Macdonald to be Lieut., vice Paul, deceased.

## MARINE PROMOTIONS.

June 18, 1825. First Lieut. J. Betham to be Jun. Capt., vice Hall, retired; Second Lieut. W. Denton to be First Lieut.; Second Midsh. T. E. Rogers to be Second Lieut.; Second Lieut. E. Pratt to be First Lieut., vice Middleton, dec.; Sen. Midsh. G. Laughton to be Second Lieut.; Sen. Midsh. E. B. Squire to be Second Lieut., vice Goreham, dec.; Second Lieut. M. Houghton to be First Lieut., vice Hutley, dec.; Sen. Midsh. C. Clarke to be Second Lieut.;

Jun. Capt. W. Bruce to be Sen. Capt., vice Barnes, dec.: First Lieut. D. Anderson to be Jun. Capt.; Second Lieut. J. McDowal to be First Lieut.; Sen. Midsh. T. Clendon to be Second Lieut.

## MARINE APPOINTMENT.

*Bombay Castle*, July 7.—Capt. Lawrence to be Commodore on the Surat station for the ensuing season, vice Capt. Tanner.

## MEDICAL APPOINTMENTS.

*Bombay Castle*, June 11.—Assist. Surg. J. Fortnam to take temp. charge of the Med. Stores at Kaira; Assist. Surg. Arnot to take charge of Medical duties at do.; Assistant Surgeon Duncan to be Vaccinator in the Southern Concan, vice Bird, prom.; Assist. Surg. Erskine to be Surg. at Sholapore, vice Duncan; Assist. Surg. Macdonald to be Surgeon to the Political Agent in Kattywar; Assist. Surg. Tawse to be Surg. in Caudersh; Assist. Surg. Mackell to be Surg. in Mocha. 14. Assist. Surg. A. Gibson to the charge of the H. C.'s cruiser *Mercury*; Assist. Surg. Bly to the *Nautilus*. 15. Assist. Surgeon J. Buchart, 8th N. I. to take charge of the Civil Medical duties, and of the Guzzerat Prov. batt. at Ahmedabad, during the absence of Ass. Surg. Stewart.

## CADETS.

*Bombay Castle*.—June 9. The following Cadets and Assist. Surgeons are admitted on the establishment—Messrs. C. B. Raitt, S. Parr, W. Geddes, for Infantry.—14. O. Harris for Engin.; T. Jackson, M. Smith, G. D. Wilson, and A. Amerton, for Infantry; Messrs. D. Doug, J. Dou, M. D., A. Lawrence, M. D., A. Gibson, for the Medical establishment.

## FURLONGS.

*Bombay Castle*, July 7.—Cornet T. B. Hamilton, 1st L. C. to Europe, for health.

## KING'S FORCES IN INDIA.

[From the Indian Gazette.]

## MILITARY APPOINTMENTS.

*Head Quarters, Calcutta*.—June 13, 1825. Lieut. J. Reid, 45th Foot, to be Adjut., vice Potts, who resigns the Adjutantcy only.—17. Capt. Wainwright, 47th Foot, to be Aid-de-Camp to Brig. Gen. Cotton; Lieut. Donaldson, 41th Foot, to be Adjut.; Lieut. Lawless to be Quartermaster during the absence of Quarterm. Coates, going to Europe.

## PROMOTIONS.

89th Foot. Lieut. A. S. H. Aplin to be Capt. of a company without purchase, vice Redmond dec.; Ensign T. Piendergast to be Lieut., do.; J. Graham, Gent. to be Ensign, do., to do duty with 51th regt. till further orders.

## FURLONGS.

*Head Quarters, Calcutta*.—May 23. Ensign Furlough to Europe, on private affairs.—June 13. Capt. Eyre, H. M.'s Roy. regt. to Europe, for health.—17. Quarterm. Coates, 51th regt. to do. for do.; Ensign Frome, 47th regt. to sea for six months; Assist. Surg. Campbell, 11th Light Dragoons, to Europe, for health; Capt. Heatley, 47th regt., to do. for do.

[From the London Gazette.]

*War Office*, Nov. 26.—16th Lt. Drag. Cornet W. V. Tillard to be Lieut., vice M'Mahon, prom.; Cornet J. P. Leward to be do., vice Cureton, prom.

6th Foot. To be Lieuts.: Lieut. C. D. Allen, vice Holme; Lieut. W. Dunn, vice W. Slott.

30th Foot. Ensign G. Mansell to be Lieut. by purchase, v. Stewart. prom.—Wright, Gent. to be Ensign, vice Battley.

46th Foot. Ensign P. Legu to be Ensign, vice Wykeham; Lieut. G. Tarrowell, from half-pay, vice Madigan, app. Quarterm.; Ensign F. Ingram, by purchase, vice Stewart, prom.; to be Lieutenants. J. Davies, Gent. to be Ensign by purchase, vice Ingram; Paymaster James Grant, from 89th, vice Anderson, who exchanges, to be Paymaster.

59th Foot. S. N. Hardwood, Gent. to be Ensign by purchase, vice Cockell; Capt. H. D. Courtaigne, from half-pay, to be Capt., vice Doran, who exch.

87th Foot. Robert Dudley, Gent. to be Ensign, vice Doyle.

89th Foot. Paym. J. J. Anderson, from 16th, to be Paym. vice Grant, who exchanges.

## BIRTHS, MARRIAGES, AND DEATHS.

## CALCUTTA.

*Births*.—May 28th. The lady of the Rev. T. N. Stevens, of a son.—June 13th. The lady of A. Colvin, Esq., of a son, which died same day. Mrs. D. Kenderdine, of do. do.—14th. Mrs. J. Wood of a daughter.—15th. The lady of J. Mackenzie, Esq., of do.; Mrs. Fousty of do.—18th. The lady of P. Beard, Esq., of a son. At Fort William, the lady of Capt. W. R. Costley of do.—22d. Mrs. R. Kerr of do.—June 27th. Mrs. M. Meyers, of do.—July 1. The lady of Lieut. J. W. Ouseley, Arabic Professor in the College of Fort William, of a daughter.—2d. Mrs. J. Cunningham, of a son.—4th. The lady of Lieut. P. Fowles, 65th N. I., of a son.—6th. The lady of J. R. Best, Esq., C. S., of a daughter; Mrs. J. J. L. Hoff, of a daughter.

*Marriages*.—June 15th. Mr. E. Billon to Miss M. Cumberland.—16th. Mr. G. Stow to Miss E. De Courcy.—20th. John Cox, Esq., to Ann Frances, third daughter of the late Col. Ch. Brietzke; Henry Osborne, Esq., to Mrs. Louisa Exshaw.—24th. Mr. J. Ellis, in the office of Messrs. Alexander and Co., to Clarentine, second daughter of the late M. Keys, Esq., of Richmond, Surrey.—25th. J. Randle, Esq., to Eliza Maria, daughter of the late S. Blackburn, Esq.; Mr. J. Brignall to Margaret, daughter of the late J. Han, Esq.—July 2. C. R. Barwell, Esq., C. S., to Ellen, second daughter of the late R. Fulcher, Esq.

*Deaths*.—June 3d. The lady of Capt. A. Horsburgh, 46th N. I.—8th. Lieut. C. S. Marriott, Inv. Estab. aged 29.—15th. Mr. J. Fenwick, aged 26.—17th. Capt. W. Garden, aged 52; Mrs. Dawson, aged 42; Mrs. Stafford, aged 33.—22d. W. Shephard, Esq., Commander of the Portsea, aged 40; Mrs. C. Harris, aged 22.—28th. The infant daughter of Lieut. G. S. Lawrenson.—July 6th. Emilia, fourth daughter of the late C. Mendes, Esq.\*

## BOMBAY.

*Births*.—The lady of Capt. Burrowes, H. M. 20th Regt. of a daughter.—15th. Mrs. J. S. Cross, of a son.

*Marriages*.—June 17th. Lieut. B. Seton, aid-de-camp to the Hon. Gov., and son of the late Sir A. Seton, Bart. to Jane, daughter of J. Elphinstone, Esq. C. S.—July 12th. Alex. John Kerr, Esq. of Penang, to Louisa, second daughter of Lieut. Col. Hough, Mil. Ad. Gen.

*Deaths*.—June 29th, the infant son of Jas. Morley, Esq.—July 14th, was drowned, Lieut. J. B. Davis, H. C. Cruiser Nautilus.

## MISCELLANEOUS.

*Births*.—May 12th, at Kedgerce, on board the Latkins, the lady of Major Hawtrej, 4th Lt. Cor. of a daughter.—22d, at Dharwar, the lady of Lieut. T. Harris, of a daughter.—24th, at Mohuntapore, the lady of J. Lintard, Esq., of a daughter.—June 4th, at Jubblepore, the lady of Captain Barnard, 51st N. I. of a son.—10th, at Dacca, the lady of Lieut. and Adj. Vincent, of a son.—14th, at Ballygunge, the lady of C. H. Paton, Esq. of a daughter.—15th, at Lucknow, the lady of Capt. Smallpage, Major of Brig. of a daughter.—16th, at Chanda, near Nagpore, the lady of Lieut. C. Crawford, Bengal Artill. and Superint. of Affairs, of a son.—18th, at Kidderpore, Mrs. D. Sharman, of a son; at Kidderpore, Mrs. C. Shearman, of a son.—19th, at Muttra, the lady of Lieut. Garstin, 10th N. Cav. of a son, which died same day.—20th at Moudendarry Factory, the lady of C. Omon, Esq. of a son.—22d, at Nagpore, the lady of Lieut. Stock, 3d Bombay L. C. of a son.—July 2d, at Entally, Mrs. Grigg, of a son.

*Marriages*.—June 4th. At Saharunpore, Lieut. J. Fisher, 23rd N. I., and Adjutant of the Saharunpore Batt. to Lucy, daughter of the Rev. J. Vincent.—5th. At Agra, Mr. T. Lyons, to Miss E. Hyde.—July 4th. At Midnapore, John J. Harvey, Esq. C. S., to Elizabeth E. eldest daughter of W. Wiggins, Esq.

*Deaths.*—Jan. 8th. On his passage from Dason to Sourabaya, C.P. Grant, Esq. aged 20.—May 21st. At Dinapore, of Cholera, the lady of Capt. Broadbent, Dep. Asst. Adj. Gen.—June 4th. At Monghyr, Mrs. C. Tytler, aged 71.—7th. At Indore, J. Warner, Esq. Surgeon of the 13th N.I.; At Rangoon, Lieut. Th. Mulhon, of the Bombay Marine, aged 20.—8th. At Lucknow, the infant son of Captain R. Home.—9th. At Kurraul, Cornet J. Jackson, 4th Lt. C.—11th. At Arracan, Ensign R. E. Blackburn, 42d N.I.—12th. At Berhampore, the infant daughter of Lieut. Col. A. Richards.—13th. At Allababad, Lieut. Col. A. Campbell, 32d N.I.—15th. At Entally, Catharine Emma, second daughter of Mr. H. V. Ingles, Teynapore Factory.—16th. At Serampore, Josh. Taylor, Esq. aged 62.—18th. At Chittagong, Capt. W. H. Hays, 54th N.I.—29th. At Monghyr, the infant son of J. W. Templer, Esq., C.S.—July 2d. At Dacca, the infant son of G. C. Weguelin, Esq.—3d. At Poonah, the wife of Mr. J. Aikin, Asst. Surg., and daughter of the late Colonel S. Neton.—1th. At Berhampore, the infant son of Captain F. Buckley.—6th. At Blewady, Lieut. J. Paul, 11th N.I.—9th. At Surat, the infant son of E. S. Grant, Esq.

## CEYLON.

April 27.—At Colombo, Maria, eldest daughter of G. Lasignam, Esq. aged 19.

## AFRICA.

March 8.—At Mombas, Mr. G. Phillips, Collector of Customs, aged 25.

## GREAT BRITAIN.

*Births.*—Nov. 7. At his house in Montague-square, the lady of Thomas Perry, Esq. of a daughter.—9th. At Spithead, on board the *Exmouth*, the lady of Captain J. B. Seely, Bombay army, of a daughter.

*Marriages.*—Nov. 29. At Brighton, Edward Perry, Esq. H. C. C. S., to Catherine Harriet, eldest daughter of Edward Isaac, Esq. late of Brook Heath, Southampton.—Dec. 10. At Stoke Church, Thomas Gahagan, Esq. Madras, C. S., to Elizabeth Ordidge, eldest daughter of Richard Bromley, Esq. of Stoke Villa, Devon.—20th. Captain J. Goodell, Bombay army, to Charlotte, eldest daughter of the late Major-General Sir G. Holmes, K. C. B.

*Deaths.*—Nov. 22. At Cheltenham, Mrs. McLeod, widow of the late Capt. McLeod, E. I. S.—28. Capt. J. Foy, late Commander of the *Osterley*, East Indiaman, aged 70.—On his passage from India, Lieut. Buchanan, 36th foot.—Dec. 1. At Southampton, Captain Edward Bird, late of the H. C. S.—In London, General Archibald Campbell, aged 67.—10th. In Curzon-street, Rear Admiral Bingham, aged 56.—11th. In Maddox-street, John Stutley, Esq. of Bombay, aged 31.

## SHIPPING INTELLIGENCE.

## ARRIVALS FROM EASTERN PORTS.

Date.	Port of Arrival.	Ship's Name.	Commander.	Place of Depart.	Date.
1825.					
Nov. 26	Downs	.. E. St. Vincent	Middleton ..	Batavia ..	July 29
Dec. 5	Downs	.. Olive Branch	Anderson ..	Cape ..	Sept. 25
Dec. 5	Downs	.. Gen. Palmer	Truscott ..	Madras ..	July 30
Dec. 5	Downs	.. Jonge Anthony	Jaconette ..	Batavia ..	July 21
Dec. 5	Poole	.. Royal George	Ellerby ..	Bombay ..	July 28
Dec. 10	Channel	.. Jane	.. Agners	.. Bengal ..	May 7
Dec. 15	Liverpool	.. D. of Lancaster	Hannah ..	Calcutta ..	Aug. 1
Dec. 17	Off Dover	.. Grenada	.. Anderson	.. Bengal ..	July 20
Dec. 20	Liverpool	.. Cornwall	.. Morison	.. Bombay ..	Aug. 17
Dec. 21	Downs	.. Harriet	.. Anderson	.. N. S. Wales	Aug. 6
Dec. 26	Liverpool	.. Ganges	.. Mitford	.. Bombay ..	Aug. 31

## ARRIVALS IN EASTERN PORTS.

Date.	Port of Arrival.	Ship's Name.	Commander.	Port of Depart.
June 13	Singapore	.. Melvina	.. Phillips	.. London
June 30	Bengal	.. Gilmore	.. Laws	.. London
July 7	Bengal	.. Crown	.. Ruder	.. Liverpool
July 20	Bombay	.. Lady East	.. Talbert	.. New S. Wales
Aug. 4	Bengal	.. Charles Grant	.. Hay	.. London
Aug. 11	Bombay	.. Recovery	.. Chapman	.. London
Aug. 11	Bombay	.. Ganges	.. Mitford	.. Liverpool
Aug. 14	Madras	.. Minerva	.. Trobyn	.. Ceylon & Lon.
Aug. 22	Mauritius	.. Maria	.. Moffat	.. Batavia
Sept. 25	Cape	.. Royal George	.. Ellerby	.. Bombay
Sept. 29	St. Helena	.. Harmony	.. Butler	.. Cape
Oct. 9	Cape	.. Triumph	.. Green	.. London
Oct. 13	St. Helena	.. Jane	.. Agnew	.. Bengal
Oct. 13	St. Helena	.. St. Helena	.. Fairfax	.. Cape
Oct. 13	St. Helena	.. Cornwall	.. Morrison	.. London
Oct. 13	Cape	.. Enterprise (Steam V.)	.. Johnston	.. Lon. in 8 weeks
Oct. 24	Madras	.. Cape Packet	.. Brown	.. London
Oct. 29	Madras	.. Catherine	.. McIntosh	.. London
Nov. 2	Madras	.. Prince Regent	.. Lamb	.. London

## DEPARTURES FROM EUROPE.

Dec. 1	Liverpool	.. Prince Charlotte	.. M'Kean	.. Bengal
Dec. 6	Deal	.. Perseverance	.. Best	.. Madras and Bengal
Dec. 8	Flushing	.. Mercury	.. Jordan	.. Batavia
Dec. 8	Flushing	.. Exertion	.. Hamer	.. Batavia
Dec. 23	Deal	.. Rummymede	.. Kemp	.. Bengal
Dec. 24	Deal	.. Hussars	.. Gibson	.. Cape
Dec. 26	Deal	.. Clydesdale	.. Hector	.. Madras and Bengal
Dec. 26	Deal	.. Nestor	.. Weakner	.. St. Helena
Dec. 26	Deal	.. Catherine	.. Brocke	.. Cape
Dec. 26	Deal	.. Lady Rowena	.. Bourne	.. New South Wales
Dec. 27	Portsmouth	.. Asia	.. Stevenson	.. Bombay
Dec. 27	Deal	.. Darius	.. Bowen	.. Bombay
Dec. 27	Deal	.. Resolution	.. Parker	.. Mauritius

## SHIPS SPOKEN WITH AT SEA.

Aug. 29	30 7 S. 37 14 E.	.. Hongqua	.. Nash	.. China	.. Europe
Oct. 24	18 2 N. 28 W.	.. Resource	.. Tomlin	.. London	.. Bengal
Oct. 26	14 N. 25 W.	.. Ospray	.. McGill	.. Bengal	.. Liverpool
Nov. 6	7 N. 25 W.	.. Hibberts	.. Theaker	.. London	.. Ceylon
Nov. 11	4 N. 20 W.	.. Barossa	.. Hutchinson	.. London	.. Madras & Beng.
Nov. 19	2 15 N. 23 50 W.	.. Catherine	.. Macintosh	.. London	.. Bengal

## GENERAL LIST OF PASSENGERS.

## PASSENGERS HOMEWARDS.

By the *Olive Branch*, from the Cape:—Mr. and Mrs. Pope; Messrs. Betham, Cufisle, Churton and Whitford; Mr. Aldred, Chief Officer of the *Mulgrave Castle*.

By the *Royal George*, from Bombay:—Rev. H. Collinson, and Lient. Laing.

By the *Grenada*, from Bengal:—Mrs. Captain Young and family.

By the *Duke of Lancaster*, from Bengal:—Messrs. Hamilton Maxwell, James Stewart, James Brook, Alfred Davis, and J. P. Martin; Mrs. Doyley and Miss Doyley.

By the *Cornwall*, from Bombay:—Captain O'Connor, Mrs. Louisa Gosley, Miss Jane Morrison, and Miss Agnes Harvey.

## PASSENGERS OUTWARD.

By the *Perseverance*, for Madras and Bengal, sailed from the Downs 7th December 1825:—Captain John Tritton, and three Misses Tritton; Mr. Edmund Tritton; Captain L'Estrange, 31st Foot; Messrs. Jones, Yarde, Grant, Burdett, Masterson, Pattenson, Ogilvy, and Hugh Meredith.

## COMMERCIAL INTELLIGENCE.

CALCUTTA.—JULY 6, 1825.

*Government Securities, &c.*

Buy.]	Rs.	As.		Rs.	As.	[Sell.
Premium	28	8	Remittable Loan 6 per Cent.	27	8	Premium
Discount	4	0	5 per Cent. Loan of 1822-23	4	0	Discount
Ditto.	2	8	4 per Cent. Loan of 1824-25	3	8	Ditto.

## RATES OF EXCHANGE.

On London, 6 months sight, 1s. 11d.	a	2s. 0½d. per S. R.
Madras, 30 days	94	a 98 S. R. per Madras Rupees.
Bombay, Ditto	98	. . . S. R. per 100 Bombay ditto.

## BANK OF BENGAL RATES.

Discount on Private Bills	Sa. Rs.	6	0
Do. of Government Ditto		5	0
Ditto of Salary Ditto		5	0
Interest on Loans on Deposit of Company's Paper for 2 months fixed		6	0

BOMBAY.—JULY 21, 1825.

## RATES OF EXCHANGE.

On London, 6 months, 1s. 10d.	per Rupee.
Calcutta, 30 days, 106	Bombay Rs. per 100 Siccas
Madras, do. 98½	Bombay Rs. per 100 Madras.

## COMPANY'S PAPER.

Remittable, 133 Bombay Rs. per 100 Siccas.

## TO CORRESPONDENTS.

Mr. Fair, the late Editor of the Bombay Gazette, having called on us to state the authority on which certain statements contained in the last Number of the Oriental Herald were made, we have felt it our duty to advert publicly to that request, and to give a public reply thereto in the pages of our present Number.—Mr. Fair having also requested a sight of what was to appear, a proof of the article was sent to him, after it was in type, as an act of courtesy, however, and not for the purpose of giving him any power over its admission or rejection, as that would be to submit to a previous Censorship, which we hold to be intolerable even in India, and altogether unnecessary here. Our pages are as open to Mr. Fair, as to any other individual, to meet any assertions therein made by counter assertions, evidence by counter-evidence, or arguments by refutation; but this must be by public and not by private discussions: since the matters referred to are matters of public and not of private interest. In this spirit, we give a proof of our sincerity by saying, that although the article is printed, (while we write this,) and must stand on its own ground, Mr. Fair has given a distinct negative to the three allegations or interrogatories proposed at p. 141, and that therefore the version of his case, said to have been current at Bengal, as founded on the general belief of these allegations being true, must be considered as at least a disputed one, and the public opinion thereon should be at least suspended until something more is known as to the details of the case. The Judges of the Supreme Court in India, publicly declare that Mr. Fair's Paper contained a misrepresentation of the proceeding, in their Court. The Bombay Government sent Mr. Fair to England, on the ground of the assertion made by the Judges being true. Mr. Fair denies the truth of the Judges' assertion, and questions the justice of the Government in acting upon it. Here, therefore, the matter rests, and on this the public judgment must be suspended till the result of a memorial which Mr. Fair now has before the India Company be known. We have no wish whatever to prejudice that, but would do our utmost to promote its claims for redress: for no offence can deserve punishment without trial; and to this Mr. Fair has been unjustly subjected.

# THE ORIENTAL HERALD.

No. 26.—FEBRUARY 1826.—VOL. 8.

## ON THE EAST INDIA COMPANY'S MONOPOLY.

So many considerations, commercial and political, are involved in this subject, that it is extremely difficult to determine on which side to approach it. Whether we view this monopoly as an obstruction to our trade and manufactures, already labouring under the pressure of an enormous public debt, and struggling for existence in competition with the unburthened nations of the continent; or regard it as a dead weight upon our naval and commercial strength, retarding us in our course, so that other states, pursuing the same career, may outstrip us in the race of national greatness; or, disregarding these, and looking, beyond our own interests as a nation, to the benefits which would flow to the extensive countries of the East from a free intercourse with the most-enlightened people of Europe; in whatever point of view we regard it—in how many shapes does this monopoly present itself as a bar to the spread of knowledge, wealth, and civilization! So numerous and important are the distant and indirect evils arising from this enemy of the human race, that it would be impossible almost for the imagination to grasp them; but if any seek examples of the misery and mischief springing directly from this prolific source; let it only be recollected that throughout the British dominions, in every quarter of the globe, no one, from the richest to the poorest, can sit down to almost the humblest meal, but monopoly steps in to tax his enjoyment. The swarthy inhabitants of the tropics, and those bordering on the poles, are alike subject to its grinding operation. The poor submissive Indian procures with difficulty a few grains of monopolised salt, paying for it ten times its value, to season his simple diet of rice and roots; and the Englishman, boasting that he is born and lives in “a land of liberty,” is, notwithstanding, compelled to pay the same monopolists an enormous tax on his tea, which has become to him almost a necessary of life. Though we boast that, according to our “glorious constitution,” (whose unparalleled excellence, in theory, is never enough to be praised,) no man can be taxed without his own consent; yet here, by virtue of the spirit of monopoly, a few gentlemen, sitting in Leadenhall-street, thrust their fingers clandestinely into the national purse, and tax us *ad libitum*, by con-



tracting at their will and pleasure the supply of this essential article of general consumption.

We cannot help regarding it as a relic of the tyranny of the detested Stuarts, (a legacy worthy of the race, which clings to us like the fatal tunic of the Centaur to Hercules,) since it is equally abhorrent from the genuine principles of the British constitution, and the spirit of the present age. A thousand reasons might be urged why it should be put an end to at once; but this is so self-evident, that it might appear more necessary to explain how it could possibly have existed so long. It would be too tedious, however, to recapitulate the various means by which this anomaly in our political system was nursed up and matured to its present state. In its infancy, the principles of commerce being little understood, it was easy for an association of merchants to purchase exclusive privileges from needy sovereigns and their venal servants. The system of exclusion once begun, the monopolists were able to keep the great body of the nation in ignorance of their true interests; and are still labouring to attain the same object by suppressing all liberty of thought throughout their territories. In proportion as the increasing light of the age has penetrated the dark recesses, and exposed the deformity of the system, increase of political influence has enabled its defenders to resist more powerfully the demand for improvement. Reform, however, in spite of the monopolists, has been, though slowly, yet gradually, encroaching upon their domains. The bolts and bars with which they shut their countrymen out of India, have been compelled to give way. British ships having at length been allowed freely to visit that country, and having now traded for a dozen of years without exciting any dangerous riots or rebellions, it is no longer a *terra incognita* to be taken on the report of the Company. It is in vain that the monopolists would tell us that there be "sons of Anak" there, or other bugbears, like the false spies of the Israelites who brought an evil report of the land. For others having seen it, and ascertained that it is "an exceeding good land," the only question now is, whether we "shall go up to possess it," or, like the aforesaid stiff-necked generation, be condemned to turn again into the dreary way of the wilderness, as a punishment for having disobeyed the voice of reason.

To glance at a few of the main features of the system of trade hitherto carried on with India, especially by the English and Dutch; it is matter of history, that at their first arrival, European merchants were received in that quarter of the world with open arms. They might have settled and traded to any extent, increasing every successive year the produce of these countries, and also the demand for European merchandise with the widening circle of Colonization. To this process there was no assignable limit; and to carry it on nothing more was necessary than to conduct themselves with moderation and justice towards the natives of the country. Monopoly-companies, however, were formed, and these, armed with military and political power by their respective states, came no longer as fair traders, to purchase or barter goods on equitable terms, but, like pirates or buc-

canoeers, to extort what they wanted by force, and impose what they chose to give in return. All sorts of fraud and oppression were resorted to in order to make the Natives submit to this system; the consequence of which was, that where it succeeded the people were reduced to slavery, and the trade ruined: as the fruits of the earth and of human industry are checked in the bud, when others snatch them away without any fair equivalent. In other places, where the Natives were too powerful to submit to such spoliation, they expelled or exterminated their oppressors, and put an end to the trade for ever. In either way, the benefits of commercial intercourse were destroyed by unbounded rapacity. When, however, settlements were formed on the principle of free trade, the result was totally different. Of this, Penang, or Prince of Wales's Island, is a remarkable instance. Though found an almost barren and deserted island, being formed into a settlement chiefly through the exertions of two British merchants, in the short space of twenty years it contained nearly twenty thousand inhabitants. In this manner it flourished as long as the liberal principles of its original founders were adhered to; and it might have continued so to prosper, had it not been subjected to the management of the monopolists.<sup>1</sup> In like manner, Malacca, while it enjoyed freedom of trade and colonization under the dominion of the Portuguese, is considered to have been one of the most flourishing cities in the Indian Archipelago. Among the Dutch settlements, Batavia alone enjoyed a shadow of freedom of trade; and it has become a great city, while all their other establishments went to utter decay. Manilla may be cited as another example of the same result from freedom of trade. But a greater example than all, is the valuable trade now enjoyed by America, which has grown up in thirty or forty years to rival that of the old countries of Europe. Yet America has no forts, no factories, no wars or political establishments to maintain; no massacres and treachery to blush for in any country of the East. It is remarked by the very able historian of the Indian Archipelago, that the trade of the Dutch and English East India Companies, while at first virtually a free trade, realized very large profits, so much as 200 or 300 per cent.; but after they became joint stock monopoly companies they soon sunk to little or no profit at all!

To give a few familiar illustrations of the superior advantages of free trade, let us take a comparison of that of England and America with the Dutch and English monopolies. "From 1614 to 1730, (says Dr. Crawford,<sup>2</sup>) the prosperous (the *most prosperous*!) period of the Dutch Company's affairs, the whole number of ships which arrived in Holland was but 1621, giving an average for each year of but 14, which is by no means equal, in number or tonnage, to the present free trade of America with the very colonies of the Dutch

<sup>1</sup> The increase of inhabitants during the period it has since been under the Company's regime, is, according to the last accounts, only 10,000.—*Finlayson's Journal*, p. 15.

<sup>2</sup> Crawford's Indian Archipelago, Vol. III. 239.

themselves." Of the English monopoly trade the following is the general result, from the year 1680, when the actual tonnage employed can be stated. The quantity of tonnage employed in it, after the Company had been one hundred years engaged in the trade, was,

	Tons.	Tea Trade. Tons.	Trade, exclusive of Tea Monopoly. Tons.
From 1680 to 1700.....	4,590.....	— .....	4,590
From 1700 to 1720.....	4,232.....	160.....	4,072
From 1720 to 1740.....	6,796.....	1,000.....	5,796
From 1740 to 1760.....	8,861.....	2,000.....	6,861
From 1760 to 1780.....	13,350.....	5,600.....	7,750
From 1780 to 1800.....	26,300.....	15,149.....	11,151

The tea trade being deducted, as having arisen out of the accidental circumstance of an extraordinary taste growing up in Europe for this article of Chinese produce, quite unknown a hundred years before, and being supported by an unjust system of restrictions and extravagant prices, so as to leave no merit to those who carry it on, there remains only an advance from 4,590 to 11,151 tons, or an increase of 7561 tons of shipping in the long period of 120 years. When to the above consideration is added the extraneous circumstance of a vast acquisition of territory, containing a population of sixty millions of inhabitants, through which the Company's trade is bolstered up far above its natural height, by means of surplus revenue, or tribute extorted from India, the able writer, whom we have quoted, justly concludes, that, "making allowance at the same time for the prodigious increase of Europe during this period in wealth and populousness, *no doubt can exist that the comparative extent of the Indian trade is greatly less than it was.*"<sup>3</sup> Comparing this with the free trade of the Americans, which commenced only about forty years ago, and was undertaken by an infant state with a very scanty command of capital—this being much more in request for clearing their inexhaustible forests—the same excellent author observes: "Their trade (with the East) in all this time has been progressively increasing, and without entering into the question of its intrinsic superiority over the trade of the former masters of Indian commerce, is, in point of mere quantity, incomparably more extensive."

Another striking illustration of the same subject, and one less humiliating to our national feelings, is furnished by the late work of an intelligent French writer, (M. C. Moreau,) on the finances of the East India Company. From this we extract the following table, showing how soon the free traders of Great Britain have overtaken and completely distanced the ancient monopolists since the trade was thrown open in 1814. The first table here subjoined, contains a statement of the imports into Great Britain and China, exclusive of tea, which, being restricted to one of the parties, affords no fair criterion for comparison.

<sup>3</sup> Indian Archipelago, Vol. III. 261.

Imported into Great Britain from the East Indies and China  
(exclusive of the value of Tea).

IMPORTS.	1814.	1815.	1816.	1817.	1818.
By the Company.	£3,278,303	3,266,620	2,344,560	2,591,868	2,130,070
By the Free Trade	3,768,289	5,496,610	5,326,578	4,754,283	6,900,705
	1819.	1820.	1821.	1822.	
By the Company.	£2,147,328	1,135,250	1,239,666	1,652,651	
By the Free Trade	6,083,147	4,450,784	3,173,980	2,777,467	

Exported from Great Britain to the East Indies and China.

EXPORTS.	1814.	1815.	1816.	1817.	1818.
By the Company.	£1,723,720	1,753,302	1,539,130	1,313,494	1,250,065
By the Free Trade	870,177	1,454,728	1,868,397	2,708,025	3,052,741
	1819.	1820.	1821.	1822.	
By the Company.	£1,358,327	1,721,114	1,754,652	1,279,021	
By the Free Trade	1,650,338	2,308,681	2,836,007	2,867,056	

The reader will perceive how the free trade has risen, with rapid progression, till its exports have doubled, and its imports tripled those of the Company. The exports of the latter, it must also be recollected, are raised much above their natural amount, first, by the necessity of making returns for the large quantity of tea imported annually from China; and secondly, by the supplies required for their huge political establishments in the East Indies. Yet, without either of these advantages, and though unjustly deprived of the China market, the free traders do twice as much for the commerce of this country. This being the result of only nine years' competition, it cannot be doubted, that were the China trade thrown open, a great relief would be thereby immediately afforded to our national manufactures, as by their supply, at a cheap rate, (a necessary consequence of free trade,) a very general demand might be created for them throughout that extensive empire. How little improvement is to be expected under the present system, may be judged from the fact, that before the trade to the East Indies was opened in 1813-14, the Company's exports had not increased at all during the present century, notwithstanding their large accessions of territory, and increasing establishments abroad. Their imports, on the other hand, had been nearly stationary since 1785, notwithstanding the remittance home of accumulating surplus revenue, which was included in their trade; and the last year, (1811,) their imports were actually lower than they had been twenty-six years before.

Nothing more need be stated to show that no national advantage can be expected from the Company as a trading association. To sum up all its disadvantages as a commercial and political body, would be a task for a Newton or Des Cartes; still some few of the items can be reached with a tolerable degree of accuracy. It has

been clearly demonstrated<sup>3</sup> that its monopoly of tea costs the British nation (exclusive of duty) a sum of more than two millions annually; and that this (or even more than this) might be saved, by allowing that article to be imported by free traders, who would besides have a sufficient remuneration for their trouble, and profit on their capital. Again, in the late work of Mr. Tucker, (which we take as one of the latest and most respectable authorities on behalf of the Company,) it is asserted, that its profit on the tea-trade, exclusive of the fair rate of interest on capital, (four per cent., and all charges,) is only 565,000*l.* per annum. We have, then,

Extra cost to the British nation by the tea monopoly (Edinburgh Review,) - - - - -	£2,200,000
Extra gain to the East India Company from it (Tucker,) - - - - -	565,000
Difference - - - - -	£1,635,000

That is, there has been a dead *annual* loss of one million six hundred and thirty-five thousand pounds sterling on the Company's ruinous mode of conducting its commerce. But this loss is only a single branch of it; on all the rest put together, Mr. Tucker admits that even the Company itself gains nothing; and that it incurs, on the contrary, an annual loss of one hundred and fifteen thousand pounds. These two put together make a sum of one million seven hundred and fifty thousand pounds sterling, which, by the confession of the monopolists themselves, are annually sunk in their trade! This shameful waste of national capital, which there is nothing whatever that can palliate, is easily explained by a comparison of the Company's mode of trading with that of the Americans. The Company, by using a species of unwieldy shipping, which is neither well fitted for war nor peace, incurs an expense for tonnage greatly beyond what is necessary, and is exposed to more frequent losses by shipwreck than any other description of vessels has experienced. The Americans use small ships well adapted to the navigation, and make two voyages for one of the Company's; so that they are able to supply the whole Western world with the produce of China at half the rate of their chartered rivals. At the same time they labour under great disadvantages of another sort in conducting this trade:—their new country not producing manufactures to exchange with China, they are compelled, in the first place, to procure them from other countries, or export bullion; and consequently, by sailing in ballast, lose all the profits of the outward voyage. All difficulties, however, yield to the superior management of free trade. The Americans having equipped their vessels in their own country, supply themselves with goods in England, carry these to China, and returning loaded with teas, sell them, in the sight of the British shores, at half the rate which they cost the people of this country! We have

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<sup>3</sup> Edinburgh Review, Vol. XXXIX.

not before us the returns of the amount of the American trade with China since its commencement ; but an idea of it may be formed from a comparison of it with the Company's, in 1821 and 1822-3. In the former period, we are informed by a merchant in the city, that while the Company's was 33,000 tons, that of America was 14,000 ; and by the returns of the duties paid at Canton in 1822-3, we find that the following were the proportions :

	Import Duties.	Export Duties.
Company's Trade - - - -	Tales, 395,112	Tales, 460,024
American Trade - - - -	276,578	339,409
Bengal, or Country Trade -	118,533	80,623

From this single branch of the American trade, amounting already to three-fourths of our own, which has existed for hundreds of years, we may form an idea of the gigantic strides which the trans-Atlantic Republic is making in possessing itself of the trade of the Indies. It was confessed by the monopolists' own agents at Canton, in a letter from them, dated in November 1820, that "between three and four thousand pieces of broad-cloth had been imported (there) during the present season, under the American flag, direct from England," which would inflict "a death-blow" on the monopoly hitherto enjoyed by the Company. How much more does it inflict a death-blow on the trade and naval strength of this country ? Our commerce being cramped by a monopoly, our mariners seek employment under a foreign flag, and add to the strength of our rivals. We enable them to come to our own shores from the other side of the Atlantic, and carry off the profits of our own trade with China ! Although our power in the East is paramount, we give away the profits of its valuable commerce with Europe to the people of America ! And what is the object of these immense sacrifices ? To enable a few East India Directors to provide their relatives and friends with comfortable situations as captains, shipping-agents, supercargoes, &c., at Canton ! Surely the British public will not tamely submit to see the national interests sacrificed to such unworthy objects and sordid considerations. If we must be taxed to the extent of two millions a-year to enrich the monopolists and their families, it would be better far to pension them, as sinecurists, directly from the Treasury. Grievous as such a burden must be on a nation already so overloaded with public debt, we should then have the satisfaction of knowing that only so much national wealth was wasted. But at present the evil is infinitely greater. This wealth is not merely wasted, it is employed to strengthen our commercial rivals, and destroy our naval superiority. The nation has not forgotten the late trial of our strength with the Americans : it was an experiment which ought to be well remembered, as a lesson for our guidance. To say nothing invidious of either party, it was then proved, that between two nations of *Englishmen*, nearly equal in courage and in naval tactics, the victory will fall to that party (from whichever side of the Atlantic) which can bring the largest force upon the sea. Since that period, the United States have been

every year increasing their naval force: their rapidly increasing resources and population enable them to do so to a still greater extent without any inconvenience. Our financial difficulties, however, exact the most rigid economy in every department, and seem to stunt our farther growth. Compared with us, they are in the vigour of youth, and acquiring every day new strength; we have already reached all the maturity of manhood, and can hope for little more than to remain stationary, or decay. As causes of disagreement will occasionally arise among nations, America and England may expect to come often in collision; and it must be evident that we can never enter the lists with her again, under the same advantages as we could do a dozen years ago. When, in the lapse of time, such unhappy differences shall arise, what will be thought of that policy which has driven our trade and commercial capital to their shores? which has chased away our hardy mariners to naturalize themselves among our enemies? We doubt not that the time will come when every man who has been instrumental in supporting such a system, will be denounced as a traitor to his country.

As regards our Indian possessions, if they were colonized by Englishmen, they might soon bid defiance to foreign aggression. But while, as at present, they are held by a handful of Europeans, it is evident, that whoever can keep the strongest fleet on the sea, may determine their fate. France long disputed with us the palm of empire on the continent of India; and the scales of victory, long doubtful, were determined in our favour by our naval superiority, and the superiority also of our free constitution. From this we derived a national vigour which baffled all the power of France under its antient despotism. The United States have a similar superiority over us in respect to the liberality of their institutions: their naval force has increased, is increasing, and must go on to increase, with the same rapidity as their wealth and population. Should they singly, or even in combination with the republics rising around them, be able to keep the sea against us, by what tie can we secure our Indian empire? The handful of British soldiers there would moulder away in a very few years. To the Native population it is the same whether an American or an Englishman should prevail; and a discontented people would be eager to embrace every chance of change. There remains only the mixed race of Europeans, French, Dutch, Swiss, or Russians, &c., with whom the Honourable Company are now colonizing their territories in preference to Englishmen! Will these foreigners stand by the Company in their day of need? or will not these wise and humane rulers have cause to regret bitterly that they have so long persecuted and banished their own fellow-citizens and fellow-subjects from their dominions? Is this the way in which they mean to secure the empire which they hold in trust for their countrymen? Or do they expect that the nation will suffer them to go on much longer, at once its plunderer and its persecutor; while, by destroying its trade, and transferring it to the Americans, they are

evidently putting into the hands of foreigners the keys of the East? Let the people of England look to this matter before it be too late; for if the voice of warning be for ever disregarded, the day will come when a thousand voices will be unavailing, though the friendly admonitions of *one* will be sufficient, if attended to in time.

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#### BURNS AND THE FALLS OF BRUAR.

It is well known that the poet Burns wrote some very agreeable lines, which induced the Duke of Athol to plant the banks of the Bruar. The Bruar, before it enters on the romantic country, where it becomes the ornament of the Duke of Athol's grounds and the object of curiosity to the traveller, flows through a peat soil, which has dyed its waters of a deep coffee-colour. Its existence, as an independent river, is short and troubled, and its name is soon lost in that of a nobler stream.

##### I.

HERE mused the ploughman in his tuneful dream,  
 And hung enchanted o'er the thundering stream,  
 Taught its hoarse voice to heg with courtly grace,  
 Raised the dark grove, and wooed the Dryad race;  
 Straight at his call the Alpine forest grew,  
 And bathed its branches in perpetual dew,  
 Begemmed its sable skirts with diamond spray,  
 And veil'd the gladden'd river from the day.  
 Wrapt in the many-colour'd woof of thought,  
 The poet lost the lore that Nature taught;  
 Seal'd were his eyes and ears, while sweeping by  
 The awful torrent sang his destiny:  
 What thought with prophet's eye I gladly see  
 Thy lay shall win the nodding grove for me,  
 With grateful sorrow, gentle bard, I mark,  
 (Too clear the meaning, though the signs be dark,)  
 The madding whirlpools of my waters show  
 Thy hours of ecstasy and years of woe.

##### II.

Far in the silent summit of the hill,  
 Where blithe the black cock soonest hails the sun,  
 To glittering life first springs my natal rill,  
 Unknown and small, with scarcely strength to run.  
 For many a rood it creeps along the earth,  
 And stains the living crystal from its birth,  
 Then quits awhile the subterranean night,  
 And drinks through all its depths the heav'nly light,  
 But soon beneath the soil subsides again,  
 Its dye to darken, and in sloth to drain;  
 While the rough nurses of the infant spring,  
 The winds, around their antient chorus sing.



## III.

So youth, erewhile, unheeded then the place,  
 Born to the labours of a lowly race,  
 Want, the stern nurse who saw thy lids unclosed,  
 Thy first small cry of painful life arose ;  
 Thee had the peasant's joys and vulgar vice,  
 The power to please, and from thy muse entice,  
 To cloud thy fancy, and degrade thy mind,  
 Till virtue sighing, left the bard behind.  
 Yet can thy genius draw from humble things  
 Strength for the mind and plumes for fancy's wings ;  
 As the poor tribute of the cloud-born rills  
 Speeds on my current, and my channel fills,

## IV.

Then bursts away my torrent tide,  
 As strong thy genius bursts away,  
 While wealth and rank and beauty stand beside,  
 Admire my whirling pool, admire thy lyric lay.  
 Drunk with our mad intemperance,  
 Our kindred spirits lead their frantic dance !  
 With summer-shades, and winding walks adorn'd,  
 Praise cheers my course, so long and lately scorn'd ;  
 Had'd by the lovely, by the great embraced,  
 The bard with fame and festival is graced ;  
 Bright float the radiant vapours of the brain,  
 Fair shines the iris of the torrent's rain ;  
 Delighted, we forget with thoughtless eyes  
 Whence, and how frail, the gorgeous visions rise ;  
     Thine but the fading hues  
     Of drunken fancy's dream ;  
     Mine but the painted dews  
     Flung by a drunken stream.

## V.

Now mark how black below  
 My weary waters sleep ;  
 As dark shall be thy woe,  
 Thy dumb despair as deep !  
 Oh ! that thy heart were, like my waters, cold !  
 Oh ! that like them, thy rapid feelings roll'd,  
 By frosts unfrozen, and by rocks untorn ;  
 Calm when neglected ; when exhausted, borne  
 By kindred rivers to an ocean grave,  
 The ocean of the soul, the ocean of the wave !

### IMPORTANT IMPROVEMENTS IN STEAM NAVIGATION.

THE progress of improvement and discovery in the useful arts, has in no one branch of practical knowledge been more rapid, or more productive of undoubted advantage to society at large, than in the application of the power of steam to the purposes of navigation. By combining the advantages of increased speed in their progress, more exact punctuality in their periods of departure and arrival, and much greater economy in their rates of charges, steam vessels have already superseded the use of sailing ones, on all voyages to and from places within a short distance of each other. They have, indeed, by this time, covered the face of almost all the lakes and inland seas of the globe, and filled the rivers and creeks of Europe and America, while some even attempt to traverse the Atlantic and the Indian Oceans. The only limits to their universal adoption, as the exclusive means of communication between places the most remote, appeared to be the power of increasing the speed, and lessening the consumption of fuel for distant voyages,—two essentials eagerly attempted to be discovered by men of science in every quarter; and the completion of which was all that remained necessary to bring into immediate contact and communication the uttermost ends of the earth.

It will be a subject of congratulation to the whole world, to learn that these long-sought improvements have at length been found; and that certain combinations have been made by a skilful and intelligent engineer of France, which are certain of giving, to the steam vessels fitted on his plan, as decided a superiority over all others now in use, as they themselves enjoy over sailing ships of every description; and consequently to eclipse them with as unerring a certainty as they have superseded their predecessors. The engineer, by whose genius and talents these important improvements were suggested, perceiving the immense advantages to be derived from their immediate adoption, hastened to England, and secured to himself a royal patent, confirming to him the exclusive privileges of his invention for a period of fourteen years, within the United Kingdom of Great Britain and Ireland, and all their distant dependencies. This grant, under the privy seal of state, being now actually in his possession, there remains no longer any apprehension of competition on the same grounds; and, consequently, no reason for delaying to announce the outlines, at least, of the improvements in question.

1. The complicated nature of the machinery used in all the engines, by which steam vessels are at present moved, renders them liable to accidents of various kinds, and requires a degree of superintendence, which is at once painful and expensive, without even then preventing the necessity of very frequent adjustment and repair.—The engine of the present inventor, which is now in use in different parts of France, and has been tried and proved in the most satisfactory manner, is of a much more simple construction; and, besides being less

costly, is not liable to many of the accidents, impediments, and injuries, to which others are constantly subject.

2. The great space occupied by existing engines, takes away, from the vessels in which they are employed, a large portion of the hull, that might otherwise be appropriated to the accommodation of passengers in the upper part of the frame, or to the stowage of fuel, water, and provisions below: while the immense weight of the whole mass is such as to press the vessel unnecessarily deep in the water, producing the two evils of increasing the burthen, and lessening considerably the rate of speed.—The new engines are, on the contrary, so compact in all their parts, that *three* of them will not occupy more room than *one* of corresponding power of the kind at present used: so that three times the actual force can be condensed into the same given space, and the weight of the whole be reduced in nearly the same proportion.

3. The quantity of fuel consumed by the old engines is so great, that scarcely any of the ordinary vessels using them, can carry more than sufficient for a voyage of a few days, without encroaching on the space that should be allotted to cargo, provisions, or passengers.—The new engines, on the contrary, require so much less fuel, that a vessel, navigated by them, will contain sufficient coals for at least twice the period, without at all encroaching on other portions of the hull; but for long and distant voyages, if the hold be appropriated to its reception, sufficient fuel can be stowed on board, to admit of the ship reaching any part of Europe, Africa, or America, without touching any where for fresh supplies; and by replenishing once only at the Cape of Good Hope, she will reach India without being delayed at any of the intermediate stations.

4. The present massive and unsightly chimneys of all steam vessels are productive of danger, as well as inconvenience, in many ways. Their loftiness and weight occasion them to act as long levers, which, in boisterous weather, make the hull top-heavy, and cause the rolling motion to be greatly increased: while, in pitching against a head sea, they augment the violence of the sudden shocks at every plunge; and in the event of their being carried away near the deck, as the strongest masts frequently are, the danger of fire would be infinitely increased. Add to this, the heat thrown out by these chimneys on the deck, and the thick volumes of smoke vomited forth from their summits, to fall again, in calm weather or light airs, on the passengers below, are the subject of constant annoyance and dissatisfaction.—The new engines having their fires fed with air from a large forge-bellows, worked by the machinery of the engine itself, require no perpendicular chimney whatever. They will consume the greater portion of their own smoke, leaving only the residue to be carried off by horizontal tubes passing along the sides of the vessel near the water's edge; thus avoiding all the evils of top-weight, heat on deck, a suffocating atmosphere, and every inconvenience arising from the perpendicular columns.

5. The side wheels of existing steam vessels, constituting all their

means of making progress, and to which, therefore, all the power of their engines is applied, are, from their very position, deprived of a great portion of their force, by the inequality of their motion: as, in a rolling sea, it continually happens that one of the wheels is so deeply submerged in the water as to be nearly inefficient from that cause alone; while the other, being entirely out of the water, revolves in empty space. The effect thus produced, is to give the whole frame of the ship a vibratory motion; the wheel having the deepest hold of the water turning her prow alternately to the right or to the left, without any counteracting effect being produced by the wheel having little or no hold of the water, to maintain the ship's progress in a straight course.—In the new steam vessels proposed, this disadvantage, which is inseparable from side wheels used alone, will be counteracted by the addition of two wheels of *much greater force* applied to the stern of the vessel, and spreading the whole breadth of the frame. These will be worked by long horizontal shafts extending from a second pair of engines, which, like the others, will be confined to the centre of the hull, for the sake of concentrating the heat and weight as near the centre of gravity as possible; while the wheels themselves will be abaft, and cover what is technically called “the ship's run,” where they will be sheltered from the current caused by the side wheels, and thus avoid the obstacle of its impetuosity; at the same time that they will, while continuing to augment the impetus given by the first, derive all the advantage of the counter current caused by what is called “the dead water,” formed from the meeting of the two side currents in “the ship's wake.” It is worthy of remark, that this application of wheels to the sterns of steam vessels was first made in France, in consequence of the inability of boats with side wheels to pass through the narrow arches of bridges on several of the French rivers. They were in this case used alone: but even then, they gave a much greater degree of speed to the vessels to which they were applied, than the side wheels, for which they were introduced as a substitute, from their spreading the whole breadth of the frame, and having paddles of eight feet to each stern wheel, on boats which could only sustain paddles of six feet to their side wheels, thus increasing the power in the proportion of 16 to 12, from this cause alone; besides which, the stern wheels are scarcely at all affected by the rolling motion, as the side wheels necessarily are, and therefore operate with more uniform force on the whole body propelled by them. The improvements in the new engines proposed to be used, from their taking less space, being of less weight, and consuming less fuel, will admit of what was before impracticable, namely, the addition of these stern wheels to vessels now worked with side wheels only, a union which will not only increase the speed in a very high degree, by more than doubling the propelling power, but will counteract all the evils of occasional loss of force from the rolling motion when side wheels are used alone; as *both* the sets of wheels, namely, those near the centre and those at the stern, can never be wholly out of the water at the same time; so that, by this arrangement and division of the

wheels, the uniform progress of the vessel in a continued straight line will be certain of being preserved.

6. The steam vessels at present navigating the open sea are built of considerable depth, or, in the language of seamen, have a "great draught of water," in order to ensure their being sufficiently stiff to carry sail when occasion may require, as well as to counteract the tendency of a lofty chimney of iron to upset the vessel while rolling. When these ships navigate among shoals and banks at the entrance of great rivers, or arrive off ports in which there is but little water, they are therefore frequently compelled to anchor for several hours, in dark nights and situations of great danger, until the tide flows sufficiently to enable them to pass over such shoals without striking the bottom, —while the quantity of water they displace by their depth necessarily renders their progress more slow and difficult. —In the new steam vessels proposed, the depth of the bottom, or "draught of water," will not be more than half that of the same sized ships on the old construction; nor, considering the less weight of the engines, the absence of all necessity for sails, and the total disappearance of the heavy perpendicular chimneys, will any greater depth be necessary. In order to provide, however, for navigating the open sea, and so stiffening the vessel as to counteract the rolling motion almost entirely, a sliding keel will be fitted longitudinally in the centre of the standing keel, to be let down and drawn up by simple hand-wheels, to any depth required. These, therefore, when immersed three or four feet below the fixed keel, will give to the vessel all the advantages of an equal draught of water by the whole bottom, without the disadvantage necessarily accompanying a greatly increased bulk, —as this keel will cut through the water edgewise, like a knife, instead of presenting, as the larger bottoms of the old vessels do, a broad and expanded surface to the opposing mass of waters. When drawn up into the body of the vessel, which can be done by the hand power of two men, or even boys, the ship will skim the surface of the ocean, and pass over shoals, banks, rocks, and sands, with the ease and safety of a pinnace, being thus enabled to enter shallow rivers and harbours, when other vessels, drawing more water, would be obliged to lie at anchor exposed without.

7. Notwithstanding the extraordinary combination of advantages here presented to the imagination, (and these are so manifest that all must understand and rightly appreciate them,) it is perhaps the greatest advantage of all, —at a period when experiment and speculation are in great disfavour, —to be able to say, what can with the strictest truth be alleged, that none of these features are entirely new: —not one among the whole remains to be tried: each has already undergone the test of experience separately, and had its predicted utility confirmed by actual adoption and practice. The engines, with all their remarkable improvements, exist, and are now at work in Lyons and at Paris; —the stern wheels are used alone by many vessels navigating on the rivers Seine and Saone, as well as on the German Ocean; and the sliding keel is well known to amateurs of pleasure-

boats and nautical men. It is, however, the *combination of all these in one*, that will produce the happy results in contemplation; and on such sure foundations, on such unerring data, do these results depend, that they may safely be said to be inevitable.

It is therefore evident that steam vessels constructed on this plan, and combining the numerous advantages described, must eclipse all existing vessels navigated on the present system. The passage from London to Calais, which usually occupies twelve hours, may, with the new vessels, be as easily performed in eight. The voyage to any part of the Mediterranean will be an excursion of as little difficulty as the present trips to Edinaburgh or Glasgow. The passage to America may be even made in fifteen days; and to India, beyond all doubt, in less than sixty, (so as to ensure with certainty the 10,000*l.* sterling, offered as a premium for the two first voyages within a given time, from England to that country and back,<sup>1</sup>) this being just one half the time now occupied in what is called a remarkably fine, or even a rapid passage, by first-rate Indiamen. The accommodations for passengers will be more ample than at present, as the space occupied by the two sets of engines necessary to work the whole of the four wheels, will not be even so great as the space required for the single set or pair of engines, now used to work the one pair of wheels at the side only. The vibratory motion and the smoke (two constant sources of annoyance) will be greatly diminished, if not entirely avoided; and thus, speed, safety, comfort, and economy, will all be united in a degree never yet attained by vessels of any description that *now* navigate the ocean.

It would be extravagant even to attempt to state in detail the incalculable advantages to discovery, commerce, and pleasurable intercourse, which these important improvements in steam navigation must inevitably produce. If the South Pole is ever to be approached nearer than it has yet been by our illustrious voyagers, it must be in a vessel of this description, which, with a well-fitted iron stem, a continued furnace of heat, and the application of stern wheels, where no ice could impede their motion, as they would follow only in the track opened by the vessel's hull, would penetrate in advance, as well as escape in retreat, through openings impassable to any other description of vessels yet in use. If the magnificent prize held out by the Board of Longitude for discovering a north-west passage is to be won by human skill or enterprise, more can be done in a ship of this description, in the two highest summer months of one season, than could be effected by Captain Parry's expedition, or any similar one, in three successive seasons, at one-fourth the expense, and without risking, for a single day, the chance of being shut up through a dark and dreary

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<sup>1</sup> The steam vessel already sent out to India, and which did not reach the Cape in less than fifty-six days from Falmouth, cannot possibly succeed in the time limited for the voyage by those who offered this premium, so that it will be open for other competitors; and a vessel fitted on the plan described, can hardly fail to surpass all others that might start for it.

winter. If ever a speedy intercourse is to be maintained with India round the Cape, in one direct voyage, or by the way of Egypt, with vessels touching on either side of the Isthmus of Suez, it is by ships of this description only that the main difficulty in the provision of fuel (described in a former Number<sup>2</sup>) can alone be overcome; for these only could be laden with a sufficient quantity at their respective ports of departure, to render them independent of all further supply. And as to the superior comfort for those on board, it must be as manifest as the superior despatch; while the superior safety is beyond all disputes.

Under all these undeniable advantages, we know not what can prevent the universal adoption of vessels of this description. Prejudice, indeed, may for a while retard it; since this was powerful enough to prevent the use of steam itself as a propelling power for ships, for years after its first discovery and application to that purpose, and still prevents the use of gas for lights in some of the wealthiest quarters of London, while it is adopted in most of the poorest; so that the passenger, who has every step of his way brilliantly illuminated by the splendid gas-lamps of that abode of poverty, St. Giles's, can scarcely trace his path through Grosvenor-square by the glimmering of the oil-lamps, that still throw their melancholy gloom on the fronts of its splendid mansions. It was only, indeed, during the past winter, that Portland-place, a street of nearly twice the breadth of any other in the metropolis, inhabited by the wealthiest people, and requiring twice the light of any other place in London, for safety merely, without regard to pleasure, had gas-lights substituted for lamps of oil, which were scarcely distinguishable, at particular periods of the year, from one side of the same street to the other! This hatred of innovation, the greatest obstacle to improvement of every kind, is the peculiar failing of the aristocracy of England, who ought to be superior to this common vice of the ignorant and wealthy of other less favoured lands. But, fortunately, the spirit of enterprise and thirst for improvement which characterize the middling classes of the country, is more than a match for the apathy or indifference of their superiors; and therefore it is that Discovery and Improvement make rapid strides, not in consequence of the influence of the higher orders, but in spite of it: and long may this spirit continue, till Prejudice be beaten down, as in the end it must be, under the feet of Intelligence.

It is on this hope that we ground our conviction of the ultimate general adoption of the improvements here briefly described. We perform a pleasing task in being the first to announce them in outline; but as we have seen for ourselves the drawings, plans, models, and materials of the whole, and are satisfied with the results, we shall be happy to put any persons who may desire it in the right channel for acquiring a more perfect knowledge of the details.

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<sup>2</sup> See *The Oriental Herald*, Vol. I. p. 84.

PROGRESS OF THE BURMESE WAR—TO THE CLOSE OF THE  
SECOND CAMPAIGN.

WE have endeavoured, in the preceding Numbers of our Publication, to furnish full and accurate information respecting the military operations in India; but as this necessarily reached us in detached communications, it is consequently scattered through many separate portions of our work. The close of the second campaign against the Burmese, and the recent receipt of very ample intelligence from the seat of the war itself, induce us, however, to collect and condense into one connected and comprehensive view, the principal events which have marked the progress of the several expeditions engaged, accompanied by such observations as the results seem to require.

The immediate origin of the war is fairly stated in the proclamation issued by Lord Amherst on the 5th March 1824. Whatever variety of opinion may prevail on a necessity for hostilities in support of our claims on the island of Shahporee, and in opposition to the invasion of Cachar, there cannot rest a shade of doubt, that the extension of the Burmese empire to a direct contact with upwards of six hundred miles of our frontier, must have led to eventual hostilities. Were we to applaud the pacific forbearance with which the Bengal Government viewed the idle claims of the Burmese to all our possessions beyond the Burrampootra, and their actual conquest of Assam and the hill states bordering Sylhet and Tipperah; we must condemn the want of foresight and policy evinced by the absence of an imposing defensive barrier along the line of Burmah aggression. With a sincere determination to avoid war with the Burmese, and an admission of their right to conquer the neutrals on our frontier, measures of defence and precaution would have been in strict unison with such a line of policy;—a system the very reverse was adopted.

At the close of the year 1823, the Chittagong frontier was left with five companies of Native infantry, and a police corps called the Chittagong provincial battalion; Sylhet with four companies of the Rungpoor local battalion; while Rungpoor was protected by the headquarters of that corps, stationed at Jumalpoor, on the Burrampootra; and the passage into Assam by two companies of the Dinapore local battalion, with a few gun-boats. Five companies only of regular infantry were stationed at Dacca, until the rains of 1823, when an additional five companies were drawn from the weak station of Berhampoor; giving, for the protection of the principal city in that quarter, a complete battalion. To render this scattered force more efficient, the command was vested in a Brigadier; Col. G. M. Popham being the officer selected for the duty.

Not one fortress, or fortified position, met the eye of the Burmah, from the Naaf to Goulpara, on the Burrampootra; nor an organized force sufficient to awe the most pusillanimous neighbour. A warlike race of conquerors, such as the Burmese, must have been tempted, by



the naked appearance of the British frontier, to hasten a war of so much promise, with apparently so little to hazard. Were we unacquainted with the policy usual in India, it might be presumed that the Government, in leaving its frontier so defenceless and denuded of troops, was tempting the Burmese to acts of oppression, by showing them so fair a prospect of success. Such inference would, however, be highly unjust; since it is the established practice in India, not only to remove troops from provinces in which war or rebellion has ceased, but to destroy every fortification which the wisdom or the fears of former Governments had reared for the security of its power. Extensive plans of general precaution and defence in this "Empire of Opinion," form no feature in the policy of its Government; a connected system of fortresses, or fortified positions, is viewed rather with horror than even indifference. Our south-eastern frontier having neither been threatened nor molested since 1796, troops for its protection could not be necessary. There is another remarkable feature in this "*existing-circumstance-policy*," viz., the care taken to avoid the accumulation of topographical knowledge beyond our immediate frontier; and as to statistics, far be it from the powerful Indian Government to pry into the nakedness of neighbouring states, or to seek for information regarding the habits, abilities, resources, or warlike character of their inhabitants. In the lower provinces of Bengal, blessed with a very unwarlike population, although a very cunning and litigious people, all power is lodged in the hands of the civil authorities, who are overburthened with the administration of justice, and the labour of collecting the public revenue. Yet on this class of servants is imposed the political duties within their districts. Were a military man, placed near a frontier, to institute inquiries into what is passing around him and in the adjoining states, such labour on his part would not only be discouraged by the Government, but be resented, as an undue interference with the duties of the local civil authorities.

From these causes, the Bengal Government entered on the Burmah war profoundly ignorant of the theatre on which it was to be prosecuted, and equally unacquainted with the genius and resources of the enemy. The early arrangements for the prosecution of the war were wavering, and every operation attempted was conducted with inadequate and inapplicable resources: when war was prosecuted on a more becoming scale, the same causes produced delay in execution, and disappointment, if not complete failure, in anticipated results. They were, at the date of the last accounts, only beginning to understand the character of the war in which they were engaged; but were utterly in the dark as to the probable period or manner of its termination. Hasty and general censure on the *existing* Government, its war ministers, or on military officers vested with command, it is not our object to apply. We are at issue with the system of policy, and not with those who have erred through the shackles which such system imposes. The most sanguine will not expect that the destinies of India can always be consigned to the charge of transcendent talent. The Marquis of

Hastings, even, might have been led into error, on opening this war, as he was in that with Nepal; but he would soon have seen his way, and have applied the energies of a consummate statesman and general in its prosecution. It were trite to remark, that India does not possess a Hastings either in Lord Amherst or Sir Edward Paget.

Thus much by way of preface; there will be ample scope for commentary as we proceed to narrate the progress of the war. Our facts are drawn from the most authentic sources. On the correctness of opinions advanced, our readers will sit in judgment; undue bias against men or measures has been studiously avoided. The war having been prosecuted from four distant points, *viz.*, from Goulpara into Assam; Sylhet into Cachar; Chittagong into Arracan; and, by sea, to Rangoon and Pegu; a brief and connected detail of the operations of each force will be given—beginning with Assam.

*CAMPAIGN of 1824.—Invasion of Assam.*

In January, Brigadier M'Morine, H. C. S., succeeded Brigadier Popham, who returned to Europe in very bad health. The new Brigadier repaired to Goulpara, (Jogejopa,) on the Burrampootra river, a point on the British frontier leading into Assam, where a force was assembled for the eventual invasion of that country. A gun-boat flotilla on the Burrampootra, three brigades of six-pounders, six companies Rungpoor, and the Dinapore local corps, were early assembled. To these were added, seven companies 2-23d, now 46th regiment Native infantry, and a wing of the Chumparun local corps; giving a total of about 2,200 rank and file, with a small body of irregular cavalry. To oppose this detachment, the Burmese were said to have 3000 or 4000 well-armed troops in Assam. Their force proved much below this estimate.

March 13, 1824.—Flotilla stores and 46th regiment N. I. moved up the Burrampootra. The rest of the force moved by land.

March 23.—From Kurnurpootah, a detachment of the Chumparun brigade diverged to dislodge the enemy from the stockades of Lu Riedewa. Effected the object without difficulty; the Burmese leaving two men killed, and a few wounded.

March 26.—At Plaassbarry, the two divisions were united. This was a stockaded position, ten miles from Gowahutty, the capital of South Assam, and seventy miles above Goulpara.

March 27.—After a few shot, the enemy evacuated their position. An ineffectual pursuit was attempted.

March 28.—Took possession of the town and stockades of Gowahutty. The Burmese, prior to their retreat up the Burrampootra to Kulliabbar, impaled some forty Assamese, suspected with favouring the British. On this date, a proclamation was issued, by Brigadier M'Morine, explanatory of the views of the invaders, and calling on the Assamese to join in expelling the Burmese.

Brigadier M'Morine's operations were under the control of the political agent, Mr. D. Scott, who was, at this period, personally attending to the Burmese movements from Cachar on Sylhet.

April 5.—Mr. Scott, with an escort of three companies 46th regiment N. I., quitted Sylhet to reach the Burrampootra, by a direct route through the state of the Jyntiah Rajah, who was inimical to the Burmese.

April 15.—Mr. Scott, with his escort, arrived in safety at Russu Chokey, or Noagaong, on the Burrampootra river, about eighty miles above Gowahutty. The distance traversed by this party was about ninety miles, in eleven days: the greater portion of the route lay across a high table land, easy of access, and the Jyntiahs very friendly. Noagaong had been deserted by the Burmese soon after Brigadier M'Morine reached Gowahutty.

April 29.—Mr. Scott moved down to Gowahutty, leaving his escort, under Captain Horsburgh, to occupy Noagaong.

May 5.—Some movements of the Burmese indicating an intention to dispute the possession of Noagaong, Lieut. Col. Alfred Richards, with the gun-boat flotilla, and five companies 46th regiment N. I., moved from Gowahutty, to prosecute operations as far as the Kullung river, or Kulliabar.

May 9.—Reached Munguldye, thirty miles up the Burrampootra.

May 15.—Having been joined by the Noagaong detachment, Colonel Richards gained the Kullung river, about ninety miles above Gowahutty. On the two following days, possession was taken of the stockades of Hautbar, or Kullung, which the enemy did not venture to defend.

May 24.—A successful movement by water was made to turn the stockades of Runglygur, above Kulliabar. During this operation, the camp at the latter place was left under charge of Captain Horsburgh, with four companies, and a party of irregular horse. The Burmese, before a final retreat from Lower Assam, ventured an attack on the camp at Kulliabar, the only symptom of spirit or enterprise yet evinced. For this effort, they were punished by the loss of 50 killed, and 150 or 200 wounded and drowned on their repulse. Our loss was limited to a few camp-followers at the commencement of the attack.

May 30.—Brigadier M'Morine, on this date, fell a sacrifice to an attack of cholera morbus: he died on his way from Gowahutty to Kulliabar, where Lieut. Col. Alfred Richards, H. C. S., who succeeded to the command, established his head quarters for some time.

July 10.—Brigadier Richards found himself under the disagreeable necessity of retiring to Gowahutty; the difficulties of supplying the troops with provisions, at such an advanced position as Kulliabar, being found almost insurmountable, owing to the rapidity of the current of the Burrampootra, and the great distance from which the supplies were obliged to be brought; Assam itself furnishing nothing but beef, an article of food which, unfortunately, Hindoos know not how to appreciate. Most of the baggage cattle and cavalry, (for which water carriage was not procurable,) perished on the way down, though the distance was not above ninety miles. Thus terminated the operations of the season in Assam.

*Observations.*—The delay in the advance of this force, during February and half of the month of March, was a subject of very general complaint with military men in India. The land column found it difficult, although unopposed by the enemy, to penetrate the deep and high grass jungle which lay in its route. The progress of the flotilla was rendered equally slow, by the rapidity of the current, and the want of track paths along the banks of the river. But, with every allowance, it must be confessed that, considering the feeble resistance offered by the enemy, the advance should have reached Kulliarbar by the end of March. Had this been effected, the season would have admitted the completion of the conquest of Assam, and the occupation of its capital, Ghergaong, or Rungpoor. Such an advance was, however, opposed by an inefficient transport, both by land and by water; the force having to depend entirely on the public stores for its subsistence, its advance could not outstrip the commissariat supplies. It was by great exertions that the means placed at the disposal of the commissariat officer enabled him to meet the wants of the troops on their limited line of operation; any extension of this line, the department could certainly not meet.

The campaign closed without a mishap. Much exposure and privation were endured by the troops; but, with the exception of the spirited repulse of the attack on the camp at Kulliarbar, on the 24th May, the conduct of the enemy gave no opportunity for gathering laurels.

#### *Sylhet and Cachar, 1824.*

In this quarter, the year 1823 closed with discussions on the right and intention of the Burmese to invade Cachar; to retain a footing in that country; and a demand for the delivery of the persons of Ghumbur Sing, Chourjeet, and Marjeet, Munnipoorian chiefs, who had fled beyond the Burmese power. The pretence of restoring Govind Chunder, the rightful Rajah of Cachar, who had been driven from his country by the aforesaid chiefs, and was living under our protection at Sylhet, was another preposterous ground for the invasion of Cachar, which the Burmese had taken up.

It was quite evident that Ghumbeer Sing, the Munnipoor chief who then held Cachar, could not resist the pressure of Burnah invasion from Munnipoor and Assam. We hesitated on the course to adopt, until *prevention* was placed out of our reach, and then had to guard, with very inadequate means, against hostile inroads on our frontier. The officer who commanded the small force in 1823, (four companies of Rungpoor local corps,) which, up to the end of that year, was the only force granted for the protection of the Sylhet frontier, had, it is said, at the close of the rains of 1823, pressed the expediency of taking Cachar under our protection, and the formation of a local corps of Munnipoorians; which, united with our small detachment, might occupy and defend the passes leading into Cachar. These precautions were not approved; and, in January 1824, the Burmese and Assamese quietly entered Cachar, by the Bheerkola pass, from Assam and Munnipoor. After stockading the strong heights within and near the

passes, the Burmese spread their troops through Cachar, amounting, it was said, to 10,000 men, but, by the more moderate calculators, to 4000.

To meet this invasion, the British force collected on the Sylhet frontier consisted of the 1st brigade 10th, now 14th regiment N. I., three companies 2d brigade 23d, now 46th regiment N. I., and the original detachment of four companies of the Rungpoor local corps, with a very inadequate detail of artillery<sup>1</sup>. Altogether, the effective strength of this force might be estimated at 1200 rank and file. The civil station of Sylhet was the head quarters, with advanced detachments under Major Newton, at Budderpoor, Talayn, and Juttrapoor.

Jan. 16, 1824.—At Juttrapoor, on this date, Major Newton had concentrated his small force, and successfully attacked the enemy in their stockades; losing only five men killed and eleven wounded. This trifling check caused the enemy, whose loss was about seventy killed, to retire; and our troops retrograded to their station at Budderpoor, on the Soormah river, fifty miles from the civil station of Sylhet. A want of supplies was the cause of this retrograde movement.

Feb. 13.—The Burmese having re-entered Cachar in greater force, and with more apparent combination, pushed forward on this date a party to occupy the heights across the Soormah, within 1000 yards of our post at Budderpoor; here they began to stockade their position. The political agent, Mr. D. Scott, was at Budderpoor, and sanctioned our attack on the Burmese. Capt. Johnston, the senior officer present, divided his force, consisting of a wing of the 14th regiment, and 3d company 46th regiment Native Infantry, with a small party from the Rungpoor local corps, into two divisions: one division, under Captain Bowen, crossed the Soormah at Budderpoor; the other, led by Captain Johnston, moved higher up that river before it crossed. The Burmese fired on our advanced parties; but their works being in an unfinished state, the two divisions quickly carried the position; our loss was one jemadar killed, and forty men wounded by stakes, with which the enemy always surround their stockades. The Burmese retired with little loss on their parts. On this second reverse the Assam division fell back on the passes, while the Munnipoor, or Burmese division, stockaded on the heights of Duodpatly, a distance of a few miles only from Budderpoor.

Feb. 16.—Since the affair of the 13th, Lieutenant-Colonel Bowen, now the senior officer on the frontier, had moved from Sylhet with the other wing of the 14th regiment of Native Infantry; Major Newton, with the Budderpoor detachment, also advanced, and again occupied Juttrapoor. Here Lieutenant-Colonel Bowen's division, which had to proceed by water, also arrived on the following day. By these movements the Assam troops were induced to retire alto-

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<sup>1</sup> Two or three old guns, which had been lying for years at Sylhet, were fitted up with carriages by Major Newton.

gether from Cachar, influenced, no doubt, by our preparations at Goulpara for the invasion of Assam.

Feb. 21.—The movements this day brought the advance of Colonel Bowen's force into contact with a picquet of the Burmese, which was briskly attacked, and an attempt made to follow the enemy into the stockaded position on the ridge of Duodpatly; but, being drawn on the strongest point, the attempt failed. Colonel Bowen persevered in his efforts to carry the heights after the first repulse, but failed in all; and after a protracted exposure to the enemy's fire, our troops were compelled to fall back two miles to Juttrapoor; leaving, however, a party on the intervening ridge of Talayn. Our loss was one lieutenant killed, five European officers wounded, and 150 men killed and wounded. Lieut.-Col. Innes, with four guns and the 1st batt. 19th, now 38th N. I., having *arrived* at Juttrapoor, and, as senior officer, assumed the command, there is reason to fear that Colonel Bowen's attack was hastened and persevered in from the desire to effect something before he yielded the command to a senior officer; at least, it is certain that the vicinity of Col. Innes was well known when the attack was made.

Feb. 25.—No further movement occurred until this date, when it was reported that the enemy was once more in full retreat from Cachar. The retreat of the Burmese being confirmed by a reconnoissance, the troops went into quarters for the rains. A small party (150 Rungpoor L. I.) were stockaded at Talayn, in Cachar; and a larger force of regulars at Budderpoor; but the principal body fell back to cantonments at Sylhet.

Towards the end of February, the Government began to take measures for a prosecution of the war on this frontier; an ordnance dépôt was formed at Dacca, and a local corps, under the command of Capt. Dudgeon, was ordered to be organized at Sylhet, to be composed of hill tribes and Munnipoorians.

The defensive campaign in this quarter should, strictly speaking, close here; but subsequent events render it expedient to carry the thread of the narrative down to the month of July. That the political agent, Mr. D. Scott, considered this frontier safe from further inroad, may be inferred from his movement into Assam early in April; on his departure, the immediate political charge in Sylhet devolved on Mr. C. Tucker, the collector of that district. Nothing material occurred during the months of March, April, and May; towards the end of the latter month, Lieut.-Colonel Innes, with all the disposable force he could collect, consisting of the effective details of the 14th and 38th regiments N. I., moved in breathless haste towards Chittagong, where the greatest alarm prevailed after the disaster of the 17th of May at Ramoo.

This system of borrowing from Peter to pay Paul had its usual consequence. Colonel Innes's back was scarcely turned on Sylhet, when rumours were afloat that a third invasion of Cachar had taken place. Early in June the rumour was confirmed by accounts reaching Sylhet, that the Burmese had again advanced into Cachar from Munnipoor;

and the acting political agent, Mr. Tucker, to preclude their suffering molestation, directed the officer, with the few troops still in Cachar, to fall back for the protection of the civil station of Sylhet; the officer was not firm enough to resist such a mandate.

June 7.—Accounts were received on the frontier, that the enemy had occupied their old positions on the heights of Talayn, Juttrapoor, and Duodpatly. Colonel Innes was recalled.

June 12.—Colonel Innes, with part of his harassed troops, returned to Sylhet; the men had to track their routes night and day against the stream, with short intervals of rest; and, as the whole country is at this season under water, the essential indulgence of landing to cook their meals was seldom to be obtained.

June 20.—Colonel Innes's force, amounting to about 1000 rank and file, reached Budderpoor.

June 27.—The force gained the Barak river, near Juttrapoor; some previous efforts to cross a detachment by land for an attack on the stockades of Duodpatly, were obstructed by the state of the rivulets and marshy hollows.

June 28.—Colonel Innes landed a part of his force, and with two five-and-a-half howitzers, and four six-pounders, occupied a ridge of hills, with the intent from thence to prosecute his attack on the stockades of Talayn and Duodpatly. So little attention was paid to the elevation of surrounding heights, that the enemy judiciously seized a point (intrusted to the keeping of Gunbeer Sing's irregulars) from whence he commanded our position. After some fruitless expenditure of ammunition, a feeble attempt to recover the lost height, and some trifling loss, Colonel Innes withdrew to his boats on the Barak river, near Juttrapoor. With this ill-planned effort the operations for the season closed; the Commander-in-Chief having prohibited any further attempt while the season was unfavourable and equipment in artillery so inefficient.

July 6.—The 56th regt. N. I. joined the force at Juttrapoor. The whole of the troops passed the season of inundation in boats; the Burmese in quiet possession of their heights, which they laboured hard to strengthen. The season precluded any retreat on Munnipoor had the Burmese so desired. The 14th and 38th regts. N. I., which had been actively employed on the frontier, became very sickly, sometimes more than half the men in hospital; the 52d regt. N. I. remained however tolerably efficient.

*Observations.*—To be critical on the operations in Cachar requires little talent; and were it not that the absence of publicity loses to the military community, as well as to the state, the benefit of experience, we might withhold all strictures in this instance. It cannot escape observation, that the Government and its political agents were ill informed of the movements and intentions of the enemy; and that when these were developed by the course of events, every check and retreat called forth its *carmen triumphale* as a delivery from further apprehension. No officer was selected to command on the frontier, although a successful prosecution of mountain war-

fare is confessedly the most arduous field for the exercise of military talent ; and one in which stratagem is more usually called forth than tactic, and therefore extensive local knowledge is an essential qualification. In Sylhet, responsibility was shifted from Captain A. to Major B., or Colonels C. and D., just as blind chance drew one or the other to the spot—a connected series of operations is thus defeated ; and as the experience of a junior officer is not easily shifted to his successor, there was little to be expected but a series of blunders. The officers thus engaged are only accountable for their *day of action*, and not for the absence of that prudent and systematic course which wrests from, or holds fast, advantages which an enemy has relinquished. The early skirmishes with the Burmese were creditably conducted by Major Newton and Captain Johnston. The affair at Duodpaty, on the 21st of February, conducted by Lieut.-Colonel Bowen, was spirited in its commencement ; but reiterated attacks on one point of an extensive position, which a very cursory reconnoissance should have shown to be its *strongest* point, demands a better defence than general ignorance of the theatre of operations affords ; to this plea, as applied to Cachar, Colonel Bowen may be justly entitled, as he had so recently arrived on the frontier. The arrival of Lieut.-Col. Innes, a senior officer, immediately after the attack, took from Colonel Bowen the chance of proving that he could profit by the lesson received. Colonel Innes came up in time to hear of the retreat of the enemy, and to issue orders for the disposition of the troops for the rains—a task that ill suits a perfect stranger to the country, if it was left to the military authority ; it is, however, more than probable that the political authority on the spot had more to say in this matter. The movement of Colonel Innes, in the end of May, with all his disposable force towards Chittagong, was a measure emanating from the zeal of that officer, concurred in by the political agent in Sylhet ; and his retrograde on the invasion of Cachar was as rapid as the season admitted. We may fairly question whether Col. Innes's departure with his force for the frontier *occasioned* this third invasion, though his presence should have repelled the invaders. Viewing the nearly simultaneous movements of the Burmese in Assam, (5th May,) Cachar, (end of May,) on the Naaf, (9th May,) and at Rangoon at the close of the same month, we may conclude that these measures were consequent to orders issued by the Ava Government for the prosecution of the war against the British. Colonel Innes's demonstration (attack it cannot be called) against the Burmese positions on the 28th of June, was so weakly conducted, that it is not easy to discover a plea in support of the movement : either the troops should not have been committed in action with the enemy, or the operations have been prosecuted with such foresight and vigour, as to reflect credit on the troops, were success denied to their exertions.

From all we can gather of the nature of the hilly track, called Cachar, it seems to be a country very susceptible of defence by a small force. We have already casually adverted to an antipathy to defensive positions as inherent in our Indian Government. We can-



not conceive a stronger instance of the existence of this Anglo-Indian antipathy than is afforded by the repeated relinquishment of the commanding positions in Cachar. The enemy *thrice* occupied the passes and the heights within them, and were neither driven from nor manœuvred out of these positions; yet it seems never to have entered the heads of our authorities, political or military, to take these keys of the country into our own keeping.

*Chittagong Frontier, 1824.*

The dispute between the British and the Burmese authorities, in 1823, regarding a right to the island of Shabporee, had terminated in its occupation by a small party under a Native commissioned officer from the Chittagong police corps; a small naval force was equipped to interpose between that island and the Burmese positions on the Naaf and at Mungdoo. Chittagong, our nearest military station, distant about 140 miles from the Naaf, was reinforced by drawing the left wing, 2d batt. 13th, now 27th regt. N. I., from Dacca, and thus affording one regular regiment of Native Infantry and a Native Police Corps to defend this frontier. The 27th regt. N. I. became very sickly. The seizure and deportation to Arracan, on the 21st of January 1824, of Mr. Chew, who had been invited on shore from a pilot brig to a conference with the Burmese chief at Mungdoo, was such a determined act of hostility, that reinforcements were ordered to Chittagong; five companies of the 2d batt. 20th now 40th regt. N. I., and the 1st batt. 23d now 45th reg. N. I., moved from Barrackpore for that place in February; and Lieut.-Colonel Shapland, the senior officer on the spot, was appointed on the 19th of February to command on this frontier, with the rank of Brigadier. A local corps, called a Mug levy, (designating by this name Arracan refugees) was organized, and on the 29th of April, Capt. Pringle was appointed to command and discipline this corps. The whole effective force, regular and irregular, might amount to 3000 men; but of these the small detail of artillery and the regulars were alone to be depended on, and they did not exceed a moiety of that total.

Nothing material occurred during the months of March and April; but as the Burmese were reported to be drawing a large force to the Arracan frontier, it was thought *prudent* to post a detachment at Ramoo, about 100 miles from Chittagong, and within thirty or forty miles of the enemy's posts on the Naaf river. This advanced force consisted of two six-pounders, five companies of the 45th regt. N. I., a detail from the Mug levy, and another from the Provincial or Police Corps. Captain Noton, as senior officer, commanded. Early in May the Burmese passed the Naaf with 2000 men, and took up a position at Rutnapalung, fourteen miles distant from Ramoo.

May 9.—Captain Noton moved with his whole force, as a reconnaissance, towards the enemy, when his advance was smartly opposed; he fell back on his unfortified encampment at Ramoo, having had two officers wounded, and twenty-five men killed and wounded.

May 12.—Intelligence of the passage of the Naaf by the Burmese

having reached Brigadier Shapland, three companies of the 40th N. I. were detached from Chittagong to reinforce Capt. Noton; they joined on this date.

May 14.—The Burmese were supposed to have collected at Rutnapalung 10,000 men; their advance was gradually pushing on to Ramoo, carefully feeling its way and stockading the ground taken up. An attempt was now made to check the Burmese advance, but it was unavailing. Captain Noton, after some hesitation on the expediency of a retreat, finally resolved to hold his ground until a superior force should arrive from Chittagong. He therefore contracted his position; the right flank resting on a rivulet, with a tank (or reservoir) about sixty paces distant, where a strong picquet was posted; the rear had also a tank, which was intrusted to the Mug levy.

May 15 and 16.—Much desultory firing, under which the Burmese pushed on their *approaches* to our front and flanks.

May 17.—By day-break the Burmese *trenches* were brought close up to the tank on the right, and also pushed round towards the tank in rear of Captain Noton's position; this latter point was carried by the enemy at 10 A. M.; a success which proved a crisis in the fate of this unhappy detachment. Panic now became general, and the attempts to retire the picquets and operate a retreat were briskly counteracted by attacks of the enemy, who soon succeeded in dispersing the force; greatly aided in this by the presence of a small body of cavalry. Most of the officers fell in their efforts to rally the troops; the troops dispersed so rapidly, that the loss, as usual in such cases, was trifling compared with the early estimates. Captains Noton, Pringle, and Trueman, Lieut. Grigg, Ensign Barnett, and Assistant-Surgeon Maysmoor fell; the remaining officers, three in number, escaped, two of them being wounded. Up to this date, a correct estimate of the loss in men is not attainable; those first set down as killed came dropping in for months afterwards, and prisoners taken have been recently returned from bondage. Captain Noton's force in action may be thus estimated:—40th regt. N. I., 150 men; 45th regt., 300 men; Mug Levy, 250 men; Chittagong Provincial or Police Corps, 300 men.—Total, 1000 men. The least exaggerated estimate of the Burmese amounted to 8000 men.

Brigadier Shapland, on the 13th May, detached the remaining wing of the 45th regt. N. I., but hearing at Choukiah, (20 miles from Ramoo,) on the 16th, that Capt. Noton *had been* routed, Capt. Brandon retired with his wing of the 45th N. I. on Chittagong, where he arrived on the 18th.

May 18.—The disaster at Ramoo had already created a deep sensation throughout India; in Calcutta the greatest alarm prevailed: the safety of Chittagong was "past praying for": Dacca in imminent peril, and even "the City of Palaces" itself was supposed to be compromised by this trivial defeat. These fears were idle in the extreme; for the season alone would prevent any distant advance, had the enemy been in every respect equipped for an extended line of operations. The most obvious facts are, however, overlooked in a

moment of alarm ; which was not confined to the vulgar, but even the highest were infected by it. Reinforcements for the defence of Bengal were now called from every quarter.

May 24.—A wing of his Majesty's 44th foot was embarked for Chittagong from Fort William ; the 30th regt. N. I. moved from Dacca ; the advanced wing of this corps retrograded on a rumour of the occupation of Chittagong by the Burmese ; the error was soon repaired. The 14th and 38th regts. N. I., called from Sylhet, were compelled to return by the invasion of Cachar. Brigadier Fair, on the 26th of June, with the 10th and 16th Regular Madras N. I., arrived at Chittagong. Thus reinforced, all immediate alarm for the safety of this frontier subsided. The detail of the 25th regt. N. I. was detached to join its head-quarters on the island of Cheduba. To close the thread of the narrative of events on this frontier, it should be added, that the Burmese made no advance beyond Ramoo.

June 2.—But on this date it captured the small party stationed at Shahporee ; some few men escaped to the *Vestal* cruizer ; the next day their war-boats attacked that vessel, but were repulsed with loss, and followed by our gun-boats into Mungdoo Creek.

June 10.—A considerable division of the Burmese army retired into Arracan, to reinforce, it was believed, their army at Raungoon. The stockades and lines formed at Ramoo and Rutnapalung were estimated for 10,000 men.

July 27.—The Burmese evacuated all their positions north of the river Naaf, and retired into Arracan. Sickness was, no doubt, one cause for this movement, but fears for the safety of Arracan, which lay open to attack by sea, may have had greater weight.

*Observations.*—The defenceless state of this open frontier, up to the very declaration of war, is an indelible reproach on the wisdom and foresight of Government. No offensive operations appear to have been contemplated during this season ; and the measures of defence were totally inefficient, until after our territory was protected by the mere influence of season. The political power at Chittagong was vested in the Acting Judge and Magistrate, Mr. T. C. Robertson, with whom responsibility for the general course of policy must rest. Brigadier Shapland, during the early part of the season, had little or no disposable force beyond what the current guards and duties required. The detachment of so small a force to Ramoo, a place so distant as to be beyond reach of support, would, if that measure rested on his judgment, be a direct impeachment of his fitness for command ; but the Government and its political agent were not aware of the danger, and the subordinate military authority may shelter himself under a plea of only equal ignorance. This may vindicate Brigadier Shapland for *permitting* his reputation to be staked by the advance of Captain Noton's detachment to Ramoo, and its occupation there of an open encampment. No such plea can, however, palliate the absence of energy, when it became apparent that the safety and existence of these *enfants perdus* was compromised by the advance of an overwhelming enemy. In such a crisis, Brigadier Shapland's advance

to Ramoo, with every man he could collect, was a measure of imperative expediency and caution. This movement, on the 9th of May, when three companies were detached, would have saved Capt. Noton; and if it had not caused the Burmese to recross the Naaf, would have allowed better means for the defence of Chittagong, by a retreat on that station, with an undiminished force. Instead of such an obvious course, Brig. Shapland wavered until the 17th May, when he moved out, as it were, to stamp a deeper stigma on the neglect of a timely adoption of this measure. Of course, the Brigadier had not moved far before he heard of the fate of the Ramoo force, and he was not then *indecisive* on a retrograde course, but fell back, without loss of time, to his old cantonment, leaving Captain Brandon's detachment, and the unfortunate fugitives from Ramoo, to their fate. Captain Noton's fate deserves commiseration; he was a brave and a zealous officer, sacrificed to a defective policy. That he did not entrench and stockade his camp, should create little surprise; it was a course almost unknown in the army to which he belonged; and it is certain that he had not an entrenching tool with his detachment. As to the aid of an engineer officer, that is denied to a much larger force.

It would seem to follow, as a natural consequence, that when a state, for a series of years, has been generally successful, by the practice of a particular system of warfare, offensive and defensive, the servants of such state, whether civil or military, become instinctively imbued with an attachment to the system, however averse it may be to sound principles, and opposed even by the cool reflection of the parties themselves. In India, we despise advantages of position when held by a foe; and as to stockading, or strengthening the natural defences of our own positions, or grounds of encampment, by the application of the commonest schoolboy rules of art, the thought seldom enters an officer's head; or if it did, and he were to reduce his ideas to practice, it is ten to one but it would entail animadversion from superiors, and raise the finger of scorn from his equals and juniors for such innovation. A little experience, and some few severe lessons during the Nepaul war, was leading the way to sounder notions; but this war terminated too soon to produce a lasting effect, and thus the fate that befel the small advanced detachments of Captains Tibley and Blackney, on the 2d January 1815, was repeated in the case of Captain Noton, at Ramoo, in 1824.

The truth is, that we are too generally successful over foes vastly our inferior in equipment or resources to shake off our errors. When we fall in with more equal antagonists, we may perhaps improve; though our Empire in India may, in this case, perish ere we are schooled into more sound principles and habits.

A disregard to the high and scientific branches of the military profession is encouraged as too expensive for a state which directs its views to cheap establishments. This is the true source of the evil adverted to; to which must be attributed the waste of human blood in our military operations. Until Lord Hastings's administration, no siege, in Bengal at least, was ever undertaken with adequate engineers

and artillery parks. An engineer corps can scarcely be said to exist in India; the officers of the small corps allowed are rather civil architects than military engineers. The young men who enter the service well educated for their proper profession, soon lose all relish for its practice, when they find themselves transformed into mere builders of palaces, kutcheries, barracks and jails. There would be no objection to the exercise of their talents in these useful employments, did they not altogether remove them from, and unfit them for, the exercise of their more important professional duties. To admit of the engineer corps undertaking the duties now assigned, and to leave a very moderate quota of officers for the exercise of their talents in their proper sphere, the number of officers should at least be doubled.

*Expedition to Rangoon, 1824.*

Early in March 1824, this expedition was resolved on, and measures for its organization taken prior to the return of Sir Edward Paget, Commander-in-Chief, to the Presidency, (on 22d March,) from a tour through the Upper Provinces. On the 20th March, Captain Canning, H. C. S., was appointed Political Agent; and, on the 29th, Col. Sir A. Campbell, of his Majesty's 38th foot, was, with the rank of Brigadier-General, appointed to command in chief the joint forces from the several Presidencies. Colonel M'Bean, his Majesty's 54th foot, being nominated, with a Brigadier-General's commission, to command the division of troops from Madras.

The Bengal division sailed between the 14th and 17th of April, and the principal part of the Madras division on the 16th of the same month; the remaining part of this division did not reach Rangoon until the month of June, and even later. The combined forces consisted of four companies of European and one company of Native artillery, with an ample park; his Majesty's 13th, 38th, 41st and 89th regiments; Honourable Company's Madras European regiment, 40th regiment Bengal Native infantry, and the 3d, 9th, 12th, 18th, 26th, 28th, 30th, 34th, and 43d regiments Madras Native infantry. The Body Guard of the Governor-General of India was added towards the close of the year, when his Majesty's 47th foot also reached Rangoon. The whole force here enumerated must have equalled 12,000 rank and file.

The naval armament was under the conduct of Commodore Grant; his Majesty's ships *Liffey*, *Larne*, *Sophia*, and *Slaney*, with several of the Honourable Company's Bombay cruisers, and a large fleet of gun-boats and small craft, composed this branch of the expedition. The general rendezvous fixed was Port Cornwallis, on the Great Andaman. Here the combined fleets assembled by the end of April, and took in water for the rest of the voyage.

May 5.—The fleet sailed from Port Cornwallis.

May 8.—His Majesty's ship *Slaney*, with three transports, having on board three companies of his Majesty's 13th foot, and seven companies of 40th regiment Bengal N. I., with a proportion of artillery, the whole under Brigadier M'Creagh, his Majesty's 13th foot, sepa-

rated from the fleet for the conquest of the island of Cheduba, on the Arracan coast.

The Honourable Company's cruiser *Mercury*, with two transports, having on board the 34th regiment Madras Native infantry, under Major Wahab, parted for Negrais Island.

May 10.—Grand division of the expedition anchored within the bar of the Rangoon river, and on the following day moved up to Rangoon, led by his Majesty's ship *Liffey*. The enemy opened a weak fire from their batteries, which was returned by the *Liffey*.

May 11.—At three p. m. effected the landing of the troops. His Majesty's 38th foot, under Major Evans, above the town; his Majesty's 13th foot, under Major Sale, at the wharf batteries; and a Madras brigade, under Brigadier M'Bean, below the town. No opposition was experienced. The enemy suffered some slight loss on retiring, but we had not a man touched. Many of the houses in Rangoon were destroyed, and its inhabitants, to a man, driven off by the Burmese authorities.

May 12.—A party pushed into the jungles around Rangoon, rescued several Europeans; these, added to others found in Rangoon, amounted to twelve in number.

May 14.—The boats of his Majesty's ship *Liffey*, with a small detachment of the 41st foot, pushed about eighteen miles up the river as a reconnoissance; was frequently fired on from both banks.

May 16.—Attacked the enemy stockaded at Kemendine, with the boats of the fleet and grenadier company of the 38th foot; carried and destroyed three stockades; the enemy waited the assault, and suffered severely.

Brigadier M'Creagh reached Cheduba on the 12th May; effected a landing with 300 men on the 14th, after slight opposition; invested the enemy in their stockades, against which a battery was erected and breach made by the 17th, when the works were carried by assault, in which the enemy lost many men. The Rajah of Cheduba fell into our hands on the following day, when all further opposition ceased. Brigadier M'Creagh, with a detachment of his Majesty's 13th foot, reached Rangoon on the 11th June, leaving the island of Cheduba under Lieut.-Colonel Hampton, with his corps, 40th regiment Bengal Native infantry, and an artillery detail.

The Negrais force, under Major Wahab, finding that island uninhabited and uninhabitable from the want of fresh water, moved, on the 14th May, over to the Bassein river, where they landed to water the ships, without opposition from the inhabitants. A force, by the 17th, was collected on the opposite shore, which was attacked by a party, under Lieutenant Stedman, of 250 men; the stockades were carried, and the enemy driven off.

May 27.—Major Wahab's detachment reached Rangoon, after effecting the object required; or rather finding that there was no object to induce the sending a force to Negrais.

The Burmese assemble round Rangoon, and contract our position by the erection of stockades and works on all points but the rear. On

this date, in driving back a reconnoissance of the enemy on one of our picquets, the picquet (38th foot) of eighteen men fell on a stockade, which it gallantly carried, though held by 300 of the enemy.

May 28.—Brigadier-General Campbell moved with a detail of Bengal artillery, two companies 13th and two 38th foot, and 250 Native troops, to an extensive reconnoissance and attack of the enemy's stockades; retook the stockade taken yesterday, with little loss, and several others unfinished; after an advance of about seven miles, sent back the jaded artillery, which had been drawn through mud and marsh, in charge of the Native troops, but continued to advance with the European through heavy rain three miles further. Here fell in with a village where the enemy seemed in force, and prepared for the attack. Majors Evans and Dennie carried the two stockades in spite of the enemy's fire and resistance. After this success, Sir Archibald Campbell returned to Rangoon.

May 29.—Brigadier-General M'Bean moved out to the scene of yesterday's attacks. The works were all unoccupied.

May 30.—At day-light, Captain Piper, with the light company of his Majesty's 38th foot, moved from the Dagon Pagoda, and assaulted and carried a stockade near it.

June 3.—Directed an attack on the Kemendine stockades, one by water, and two columns to proceed by land. The former attack carried some works on the river side, with slight opposition. The two columns missed their way, and fell back on Rangoon without effecting anything; though they suffered from the enemy's fire, as well as from that of the flotilla, which carried on its attacks on the river face of the Kemendine stockades. There was much general recrimination after the failure of these columns, the troops with which had to wade through swamps to attack unknown positions.

June 10.—With an assembled force of 3000 men, four eighteen-pounders, four mortars, and ordnance of low calibre, directed a general attack on the enemy's works at Kemendine by land, while two divisions of vessels were employed against the river face of those works. Two miles from Rangoon breached a stockade, and then carried it by assault, with little loss. Proceeding another mile, the land columns and flotilla were placed in communication with each other, in front of the enemy's principal line of stockades and entrenchments. By four p. m. these works were *invested* by land, with the exception of a space of about one hundred yards width in their rear, which was not easy of access to our troops.

June 11.—Employed last night in erecting batteries, which opened at day-light. After two hours firing, it was discovered that the enemy had fled by the opening in the rear, carrying off their dead and wounded. Garrisoned the stockade of Kemendine with a small European detail, and regiment of Native infantry. The enemy, after this loss, fell back from the immediate front and vicinity of the British lines.

June 12 and 30.—Between these dates, the enemy made no de-

monstrations against our lines; but occasional skirmishes took place, to the discomfiture and loss of the Burmese.

July 1.—The enemy having again collected along the front of the British lines, from Kemendine on the left, to the very extreme right, pushed forward three strong columns on our right, and on the Dagon Pagoda, the key to the position, and gained possession of a height 400 yards from the Pagoda. The picquets of the 7th and 43d regiments N. I. were first opposed to the enemy, and ultimately driven from the height occupied by a charge of detachments from those corps. Our artillery opened on the enemy a few minutes before the successful charge was made.

July 2 to 7.—Dalla, opposite to Rangoon, was the object of attack this day, when Capt. Isaack, 12th regiment N. I., in command of the picquet there, was killed. Between these dates, the lines of Rangoon were completely invested by the Burmese, whose army received daily reinforcements. Constant skirmishes between the picquets and the enemy occurred, and a fire was kept up night and day.

July 8.—To remove the pressure of the enemy on the lines, the naval flotilla, and a force about 800 strong, was detached against the enemy's right flank, while Brigadier-Gen. M'Bean moved a column 1500 strong, by land. The works on the river face were carried without much loss or opposition, and the troops re-embarked. Brigadier-General M'Bean's force had to assault and carry seven separate stockades on his line of attack; a duty gallantly performed by detachments of his Majesty's 13th and 38th foot; the enemy suffered severely, and fell back without delay. The country was too deeply inundated to admit of a communication between the river and land attacks.

July 19.—A column of 1200 men, directed to move by land to a place called Kykeloo, was, from the inundated state of the country, obliged to return to the lines. The *Diana* steam vessel worked up the river to the point for her co-operation; she met no opposition, the Burmese flying on her approach; she returned to Rangoon on the 21st July.

Aug. 4.—On reports that the enemy had established themselves at Syriam, about ten miles west of Rangoon, sent by water a detachment to dislodge them, which was effected, after a slight resistance, and their works destroyed.

Aug. 8.—Lieut.-Col. Kelly, H. C. S., with 400 men, detached by water to destroy the stockades on the Dalla creek, east of Rangoon; carried two by escalade, and returned to Rangoon.

Aug. 19.—Colonel Miles, his Majesty's 89th foot, embarked with an expedition against Mergui and Tavoy. Detachments from his Majesty's 89th and 7th regiments N. I., under convoy of the Honourable Company's cruizer *Teignmouth*, reached Tavoy river on the 1st September; worked up to Tavoy by the 8th, and, on the following day, the place surrendered; the second in command joining with the inhabitants, confined the Governor and made terms. A small garrison left at Tavoy; the expedition sailed, and reached Mergui on the



6th October; the garrison refusing terms, the fort and works were gallantly carried by assault, in which the enemy lost 500 men out of 3000, the garrison. Colonel Miles left the Native troops at Tavoy, and, with the detachment of his Majesty's 89th, returned to Rangoon in November.

Aug. 26 to 29.—Burmese assemble in great force around Rangoon, but the inundated state of the country between our lines and the enemy prevents a reconnoissance.

Aug. 30.—Under cover of the night, a small party of the enemy succeeded in carrying off a few accoutrements from one of the advance picquet sheds. A similar attempt, repeated on another picquet next day, was defeated.

Sept. 2.—The Burmese re-occupy the stockades destroyed on the Dalla creek, but were again driven from them on this date, with considerable loss; the gun-boats succeeding in the capture of several war-boats.

Sept. 5 and 6.—The gun-boats and troops stationed to keep free the Dalla creek, were attacked on these dates; but, on both, the enemy was repulsed with loss.

Sept. 21.—Brigadier-General Fraser, with a considerable force, detached in the direction of Paulung. The enemy fled from all their stockades on the Brigadier-General's route.

Oct. 5.—Lieut.-Col. Smith, H. C. S., with 800 Native infantry, sent on a reconnoissance towards Kykeloo, fifteen miles distant; several stockades and breastworks were carried on the route; but the enemy proving strong in numbers and position, a reinforcement of 400 Native infantry was granted; with this Colonel Smith moved to attack the pagoda and stockades of Kykeloo, but was repulsed with loss. The troops had been harassed for two days; they evinced, when brought up to the assault, a sullen and backward disposition, which neither the entreaty nor example of their European officers could overcome. Colonel Smith, so circumstanced, made the best retreat he could.

Simultaneous with this movement, Major Evans, 38th foot, with 300 Europeans and 100 Natives, proceeded up the Lyng river, as a diversion to Colonel Smith's advance. Captain Chadds conducted the flotilla, and during the 6th, 7th, and 8th, drove the Burmese war-boats; the troops landing and carrying several stockades. This force returned on the 10th to Rangoon.

Oct. 9.—Brigadier M'Creagh, with 420 Europeans and 350 Native troops, moved to Kykeloo, which he reached on the 11th; the enemy retired, and were pursued all the 12th, but could not be overtaken. Brigadier M'Creagh returned on the 14th.

Oct. 19.—Lieutenant-Col. Hampton, H. C. S., commanding at Cheduba, with the aid of the *Hastings*, Honourable Company's frigate, made an unsuccessful attempt on the Burmese positions on the island of Ramree.

Oct. 29.—Lieutenant-Col. Godwin, 41st foot, with detachment of Madras artillery, part of 41st foot, and 3d regiment N. I., which

sailed from Rangoon on the 14th instant, under convoy of his Majesty's ships *Arachne* and *Sophia*, reached Martaban. A reconnoissance made was briskly fired on from the enemy's works, which, with the fort, were carried on the following day by escalade.

November.—During this month no material contest occurred. The Burmese were gradually collecting around the British lines; and, by the 30th of the month, were supposed to have assembled 50,000 men, under the Maha Bundoola and the Prince of Sarrawaddy. Stockaded positions were gradually pushed up to our picquets.

Oct. 1.—The enemy began offensive operations by a resolute attack on Kemendine, our extreme left; a point intrusted to the care of Major Yates, 26th regiment N. I., with his own corps, and a small party of the Madras European regiment. The defence on the river face was aided by the naval armament; by the land, the enemy surrounded the stockade, and pushed forward approaches, and made vigorous attacks for six days, all of which were repulsed by Major Yates. A large force was pushed forward to occupy Dalla, opposite to Rangoon. From the Dagon Pagoda the enemy took ground to their left, as far as the Puzendown creek, thus threatening our right and rear. Major Sale made a bold reconnoissance on the enemy's left, and they were driven from the vicinity of the Pagoda.

Dec. 2.—A detachment of Madras Native Infantry made a successful attack on the advanced works, near the Dagon Pagoda.

Dec. 3 and 4.—The enemy continued to push forward his approaches, and the fire from his trenches could only be kept under by our artillery. A detachment of the Governor-General's Body Guard arrived from Calcutta, at Rangoon.

Dec. 5.—By this date, the Burmese appeared to have brought forward all their resources in artillery. It was determined to attack their left wing from the Pagoda to Puzendown. The naval force, under Captain Chadds, conducted an attack by the Puzendown creek, on the extreme left. Major Sale, with a column of 1100 men, and a detail of the Body Guard, penetrated the centre, and Major Walker, with the 3d and 34th Light Infantry (Native), assaulted the works nearest to Rangoon. All these attacks were gallantly and successfully conducted, and the entire left wing of the Burmese was routed. The Body Guard, just arrived, was a timely aid to complete the dispersion of the enemy.

Dec. 6.—The Bundoolah collected many of the defeated troops of his left wing, and having strengthened his centre and right, vigorously pushed his approaches against the Dagon Pagoda.

Dec. 7.—Four columns of attack being organized to be commanded by Colonels Mallett, H.M.S., Brodie, and Parlbby, H.C.S., and by Captain Wilson, at noon all our artillery opened on the enemy's works for a short time, when the several columns were pushed forward to the attack, carrying every thing before them. The enemy abandoned his artillery, arms, ammunition, &c., in the rapidity of his flight; a fifth column, under Major Sale, made a diversion on the enemy's left and rear, and added much to the loss and confusion.

The Burmese loss, in killed, was estimated at 5000 men; but correctness in such matters is not to be expected. During the operations on shore, the naval armaments were incessantly engaged with the enemy's war-boats and fire-rafts, particularly off the Kemendine stockade. Our loss, in the last seven days, was severe, and it fell principally on his Majesty's 13th and 33rd foot, and the 26th and 28th regiments of Native Infantry.

Dec. 8.—Major Fannier, detached across the Rangoon river to drive the enemy from Dalla, succeeded in carrying the works on the river bank. Lieutenant-Colonel Parlbly joined next day with reinforcements, when the enemy's troops were defeated and dispersed in this quarter.

Dec. 10 to 13.—Our lines for these days remained unmolested by the enemy; though it was clear that he held his ground in the vicinity in great force, and was preparing for another effort.

Dec. 14.—Emissaries from the enemy having effected a lodgment in the town of Rangoon, the garrison was alarmed during the night (2 A.M.) by fires breaking out in several places; at the same time, shoals of fire-rafts were floated down on the shipping, which were saved from their effects by the possession of Kemendine. Simultaneous with the assaults by fire, came a general yelling and shouting along the whole front of the lines. The troops stood to their arms ready for every contingency, but the enemy confined their efforts to this exercise of their lungs; and the only loss we sustained was the destruction of nearly half the town of Rangoon, with the stores of the Madras Commissariat. Towards evening, a reconnoissance found the enemy strongly stockaded, about three miles in front of the Dagon Pagoda.

Dec. 15.—Early on this date, a column, under Brigadier-General Cotton, H.M.S., consisting of 60 cavalry, 240 H.M.'s 13th Light Infantry, 300 Native Infantry, and 70 pioneers, or 670 men; and another under Brigadier Miles, H.M.S., of 100 cavalry detachments H.M.S.; 38th, 41st, and 89th regiments, 400; Madras European regiment, 100; Native Infantry, 500; pioneers, 100 men, or 1200 total: a small artillery detail was attached to each column. At 9 A.M., both columns moved from the lines under the special command of Sir Archibald Campbell in person. About the 10th, the left, or Brigadier Miles's column, with which Sir Archibald Campbell proceeded, reached the Pagoda of Kokain, in front of the stockaded position of the Burmese, embracing an extent of about 1200 yards, the two flanks considerably advanced beyond the centre. Brigadier-General Cotton's column had, by a detour to the right, gained the centre of the enemy's rear by noon. Sir A. Campbell had effected a reconnoissance by 1 P.M., when one division of the column, under Brigadier Miles, moved to assault the left, while the other, under Major Eyans, proceeded to the right of the enemy's works. These assaults, and that on the rear by Brigadier-General Cotton, were simultaneous, and both successful: the brunt fell on the 13th and 33rd foot, who nobly sustained their reputation, but suffered severely;

the former in carrying the rear, and the latter the right stockades. The enemy were driven into the ditch, and in their flight fell on Brigadier Miles's division, which did great execution amongst them. The 13th foot was most perilously exposed to superior numbers and a strong position, and only extricated themselves by the most heroic valour, which almost annihilated the fragment of this fine regiment. The Governor-General's Body-Guard, also, with Brigadier-General Cotton's columns, distinguished themselves. The truth is, the strength of the column should have been reversed, or the rear one doubled in strength. The force of the enemy was estimated at 20,000 men, and their position strong. Maha Silwa, who commanded, was reported to have fallen, with several other chiefs.

The loss of the British, in these several actions, amounted to 112 rank and file killed, and 740 wounded.

During these operations by the land, the naval force was not idle; it succeeded in capturing thirty war-boats.

With this repulse the campaign closed. After the 15th December the Burmese dispersed, and did not again venture to approach Rangoon, or indeed to attempt any offensive operation whatever. Their dispersed and dispirited troops were re-assembled at *Peu Meu*, or *Prome*; and their principal force at *Donabaw* and *Yanguenchanga* lower down the *Irravady*.

We have now traced the events at Rangoon to the close of the campaign of 1824. This expedition, when first projected by the Bengal Government, was intended to be on a far smaller scale; and it was for a time doubtful whether its destination would be directed to Arracan or Rangoon. The present Governor-General of India could not be expected to possess such knowledge of the country, and of the character of its inhabitants, as would enable him to take the lead in the decision of the questions of force or destination; and, unhappily, the great officers of Government who surrounded Lord Amherst, were scarcely more capable of coming to a sound decision. Very erroneous notions obtained of our own superiority and importance. It was imagined that the Burmese could not be so rash as to wage war with our vast power and resources, though by them these qualities had never been seen nor felt. The few historical publications that have appeared of the Burmese empire, might have taught us that they were likely to prove no mean foe; and since they, like ourselves, had gone on conquering from the year 1755, that they might feel little disposition to yield to a war of words, or the parade of a small force.

Much expectation and reliance was placed by the Government on the information and opinions of the late Major Canning, who had been called to Calcutta from his political duties at Aurungabad. Major C. had twice visited Amerapoorah, once in a subordinate capacity with the ambassador's escort, and again as a principal.

The opinions and advice given by this officer were such, it is said, as to induce the Government to be sanguine in their expectations of

success from an *immediate* invasion, which would not fail to bring the Burmese to their senses. These pleasing illusions were acted on; and the arrangements made embraced the firm belief that the resources of the country would be immediately placed in the hands of the invaders. Provisions, boats, and boatmen, elephants, and every other kind of land-carriage, were to be in waiting for the forces; and at the worst, a pleasant trip up the Irrawaddy to Amerapoorah, was to terminate with a peace there, dictated to the Emperor of the White Elephant.

Such golden dreams have not only perished, but they have proved a grave to the flower of one of the finest armies ever formed in India, partly by the obstinate bravery of the enemy, but principally from *bad food* and *exposure* in a vile climate, at a season when operations neither *could* nor should have been prosecuted. We wish not to exaggerate the quantum of responsibility which attaches to the Government that planned this ill-timed expedition; much may be urged in their defence, their ignorance being the fruits of a system over which a *new* Government, especially, could have exercised little control. The want of information as to the nature and extent of the enemy's resources to aid their resolves at this crisis, must be attributed to the non-existence of a department for the collection and arrangement of statistics; a desideratum, even as regards our own possessions, and far more so as to foreign states in contact with our provinces. The consideration of season should not, however, have been overlooked in a quarter of the globe in which the divisions are so well marked, and so well known, that the veriest tyro in India should be ashamed to plead oversight.

It is believed that the force destined for Rangoon was determined, and its component parts fixed, before Sir E. Paget could take any active part in the arrangement; but the selection of an officer to command in chief was reserved for his decision, and Colonel Sir A. Campbell, the person specially recommended as highly qualified for that important office, was chosen. It will hardly gain credence, that there were persons of note and authority about the Government in Calcutta who, at this time, reprobrated as an idle and expensive display the employment of so large a force. There were not wanting, however, persons who held more rational opinions, and who formed a truer estimate of the enemy we were about to grapple with; but their voices, if heard, were unheeded in the *haste to do something*. It must in justice be added, that the Military Secretary to Government was not only a dissentient to the employment of a small force, but that to his voice and exertions is attributable the efficient state of the armament as first organized.

The expedition reached Rangoon near the middle of May, just in time to have gone into quiet monsoon quarters for the rains; fate and Sir A. Campbell ordered it otherwise. This Commander-in-Chief proved to be one of those gallant but hard-headed insensible men, whose professional talent was limited to a desire to come to blows, without reference to results, or the expediency of time and place for

the application of this pugnacious quality. Rangoon was occupied, but its inhabitants and resources were fled, and as the army was not only inadequately supplied with provisions, but totally unprovided with transports, (land or water,) it became obvious that no forward movement could be effected this season; and that we must content ourselves with the occupation of Rangoon and such accessible points on the sea-coast as were likely to be useful. To remedy the want of provisions, transports were despatched in haste to Calcutta; but carriage cattle could not of course be obtained for many months, as neither Presidency was prepared for such a demand.

The detail of the military operations at Rangoon will enable most men to form a tolerably correct judgment on their merits; the frequent and harassing employment of the troops gave ample proof of the excellent metal of which this army was composed; the losses in action will testify that the laurels acquired were not easily torn from the brows of the enemy. At the most inclement season, in a tropical climate, every thing was left to the European troops; the Native troops, when employed with the Europeans, were in very disproportionately small numbers; or they were detached quite alone, as if it were the object of Sir A. Campbell to prove his utter unfitness for the command of mixed troops; the art, in this case, being so to blend the proportions, that the good qualities of both may be drawn forth, and the defects of one be supplied by the superiority of the other class of soldiers. Were we to point to one out of many instances of a wanton exposure of a small but gallant band to defeat from an overwhelming enemy, we would name the movement on the 28th of May; support or retreat in case of a check were precautions unthought of. The movements of the 5th and 6th of October is an instance of the judiciousness with which detachments were arranged. Every movement, not dictated by the immediate defence of the lines of Rangoon, and there are few indeed, (four or five, perhaps, in all,) compared with the many that were made for distant and unimportant objects, was a departure from a course of *common sense* and *common humanity*. We have attempted to give a correct list of the loss from the enemy; but could we show the sick returns, the fatal effects of these harassing movements through an inundated country, would be too glaring to require comment. The attack on the lines early in December was judiciously encouraged and ably repelled; had General Campbell throughout the season acted in this manner, we might have been spared our remarks. It was evidently our policy to allow the enemy to *seek us*, and not run about to discover a foe in the wilderness and marshes around Rangoon.

It were well could we close our remarks here; but truth, and justice to the British name and character, calls on us to stamp with reprobation the eagerness evinced in the pursuit of plunder. We mean not by this to impeach individuals of the army, or its general discipline; but the more legal and powerful plea of prize property we raise our voice against; the agent for this duty being the Commander-in-Chief's son-in-law. It is an unvaried object of policy

with our Indian Governments to conciliate the inhabitants of a country, with whom they may be at war, by a respect for their persons and property, and more especially for their religious prejudices and institutions. Sir A. Campbell, like the great Mahmoud of Ghizni, was an Iconoclast; and a country like Pegu, filled with temples, and the image of Guadma, afforded ample scope to display a hatred (regard?) for images. Gods, goddesses, altars, and even bells, whether of silver or baser metal, were all swept away; and we are creditably informed that within three weeks after a British army arrived at Rangoon, the poor Buddhists could rarely be blessed with the sight of their presiding deity; though certain habitations were crowded with the unholy spoil, and shipments made to such an extent, that every auction-mart in Calcutta and Madras quickly rang with—"Going! going! this superb image of Guadma, just landed from Rangoon!" That most magnificent structure, the Sheo Dagon Pagoda, having been charged with concealing hidden treasures, our modern Mahmoud set his pioneers to work to disembowel *his* deity; the Bonzes proving less liberal in offers to avert the sacrilege than the Brahmins of Sumnat. After destroying the terraces, and undermining the temple at all points, the fruit of the labour was, we rejoice to add, some half dozen of small brass and lead images. Such were the inducements held out to the inhabitants of Rangoon and Pegu, in general, to repose under the shadow of British protection!

Our limits compel us to close for the present, and to leave the second campaign for a future Number. We have seen what the wisdom and energy of our Indian Government can effect when surprised into a war; we shall, in our next, display the effects produced by its riper counsels and more organized energies and resources.

MY OWN FIRE-SIDE,—BY ALARIC WATTS,

LET others seek for empty joys  
 At ball or concert, rout or play;  
 Whilst far from fashion's idle noise,  
 Her gilded domes and trappings gay,  
 I while the wintry eve away,  
 'Twixt book and lute, and hours divide,—  
 And marvel how I e'er could stray  
 From thee—my own Fire-side!

My own Fire-side!—Those simple words  
 Can bid the sweetest dreams arise;  
 Awaken feeling's tenderest chords,  
 And fill with tears of joy my eyes!  
 What is there my wild heart can prize,  
 That doth not in thy sphere abide,  
 Haunt of my home-bred sympathies,  
 My own—my own Fire-side!

A gentle form is near me now,  
A small white hand is clasp'd in mine;  
I gaze upon her placid brow,  
And ask what joys can equal mine!  
A babe, whose beauty 's half divine,  
In sleep his mother's eyes doth hide;—  
Where may love seek a fitter shrine;  
Than thee—my own Fire-side.

What care I for the sullen roar  
Of winds without that ravage earth?  
It doth but bid me prize thee more;  
The shelter of thy hallow'd heath  
To thoughts of quiet bliss give birth:  
Then let the churlish tempest chide,  
It cannot check the blameless mirth  
That glads—my own Fire-side!

My refuge ever from the storm  
Of this world's passion, strife, and care;  
Though thunder-clouds the sky deform,  
Their fury cannot reach me there.  
There, all is cheerful, calm and fair,  
Wrath, malice, envy, strife or pride,  
Have never made their hated lair  
By thee—my own Fire-side!

Thy precincts are a charmed ring  
Where no harsh feeling dares intrude;  
Where life's vexations lose their sting;  
Where even grief is half subdued;  
And peace, the halcyon, loves to brood.  
Then, let the pamper'd fool deride;  
I'll pay my debt of gratitude  
To thee—my own Fire-side.

Shrine of my household deities!  
Fair scene of home's unsullied joys!  
To thee my burden'd spirit flies,  
When fortune frowns or care annoys;  
Thine is the bliss that never cloy,  
The smiles whose truth hath oft been tried;—  
What then are this world's tinsel toys  
To thee—my own Fire-side!

Oh! may the yearnings, fond and sweet,  
That bid my thoughts be all of thee,  
Thus ever guide my wandering feet  
To thy heart-soothing sanctuary!  
Whate'er my future years may be,  
Let joy or grief my fate betide,  
Be still an Eden bright to me,  
My own—my own Fire-side!



CARRINGTON'S BANKS OF THE TAMAR.<sup>1</sup>

THE reader of verse may find in the English language more of descriptive poetry than can, we think, be found in any other tongue antient or modern. This may be owing partly to our manners, partly to the natural beauties of the country, which, taken all together, are not perhaps surpassed by those of any region in the world. However, there is almost always observable in our English writers, particularly in our poets, a partiality for rural nature, which leads them to dwell minutely on the features of the scenery by which they are surrounded. And if but few descriptive poets have ever arrived at high eminence, it cannot be denied that many, very many, have written pleasingly and naturally on rustic arguments. When the poet selects some beautiful but secluded spot as the theme of his song, he knows very well that he yields up all hope of extensive fame, and grafts his reputation upon a stock that cannot live for ever. But he rests satisfied with moving a few hearts by the picture of the emotions which he himself has felt, and would fain communicate to others.

Mr. Carrington belongs to this class of poets; and the proper range of his subject is very limited. But he has, notwithstanding, by following up comparisons, contrived to digress to more celebrated topics: Italy, the triumphs of the British navy, ship-building, launching, &c. By this means 'The Banks of Tamar' becomes a pleasing little work. Its author's manner is altogether modest and unpretending; he voyages up the flood, in his little pleasure bark, on a summer's day, takes poetical note of what he sees, and moralizes elegantly as he goes along. Not a church, or seat, or ruin, or vale, or rivulet, or wood, or hill, escapes him. He has described the Tamar and its banks as Mr. Wordsworth has described the river Duddon. It must be owned there are beautiful spots on the sides of the Tamar, and Mr. Carrington has really described them well. We think, however, that the poem is too long, and includes too much reflection necessarily common-place, a consequence perhaps of its length. Minute descriptions of dawn, or noon, or night; of the buoyancy of spirits felt on escaping from a town life into the freshness of the fields; of mining operations; or even of the most lovely prospects, become fatiguing if not relieved by some kind of action. Aware of this, Mr. Carrington has embellished his poem with a melancholy tale, short, but marked with pensive interest.

The chief pleasure to be derived, however, from works of this kind, arises from that easy simplicity with which the poet speaks of his own feelings, and the causes that awake them. He appears to think that the reader *must* sympathize with him as often as he mentions his

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<sup>1</sup> The Banks of Tamar, a Poem, with other Pieces. By N. T. Carrington.

favourite spots, and he therefore dwells upon them with rapture. By this means we doubtless become poetically acquainted with the banks of a certain stream, and observe the feelings experienced on the shores of every rural brook or river. But this pleasure is transient, and cannot be made to recur frequently. For this reason, as we have before hinted, all such poems as are expected to derive their interest from description of scenery should be brief.

We shall select a few passages from Mr. Carrington's poem, from which the reader will, we think, infer, that whoever is fond of 'The Seasons,' may experience much pleasure in perusing 'The Banks of Tamar.'

There is considerable merit in the following verses, descriptive of the variety of objects which present themselves in an English landscape :

I love our fickle sky  
Beyond the unspotted azure which fatigues  
The view, in regions of the burning South.  
How glorious is the gilding of our clouds !  
How infinite their change of shape and tint !  
How sweet to see them intercept the ray  
Meridian, and to see the shadows fly  
In swift succession o'er the chequer'd map !  
And though our clime is moist, hath Italy,  
Cheering the eye throughout the varying year,  
More pleasant, more delicious sheets of green ?  
'Tis said " thy very weeds are beautiful,"  
Thou vaunted country of the unclouded Sun !  
But we too have enchanting forms, and hues  
Most beautiful ; and we can walk abroad  
In this our temperate and indulgent clime,  
To gaze, enamour'd, on the loveliness  
Of Nature, while her blooming face is fann'd  
After kind showers, by gales which would refresh  
Thy languid face, Imperial Italy !

Fair are the provinces that England boasts,  
Lovely the verdure, exquisite the flowers,  
That bless her hills and dales,—her streamlets clear,  
Her seas majestic, and her prospects all,  
Of old, as now, the pride of British song !  
But England sees not on her charming map  
A goodlier spot than our fine Devon ;—rich  
Art thou in all that Nature's hand can give,  
Land of the matchless view ! The tyrant Sun  
Thy emerald bosom spares, for frequent showers  
Drop from the voyaging and friendly cloud,  
To cheer thy foliage, and to swell thy streams :  
Hence all thy mountain torrents that descend  
To stray in meads, as Tempé ever fair ;  
Thy noble rivers hence, and that rich robe  
Of green, throughout the varying year which clothes  
The pleasant fields of thy Peninsula.

The poet thus describes his setting forth on his voyage up the Tamar:

E'en now he gilds thy noble woods, Cotehele,  
 And see this murmur'ing strand whose foot is lav'd  
 By the swift-flowing tide, is sprinkled o'er  
 With smiling friends, who, spite of fickle skies,  
 Trust the fair promise of the morn, and raise  
 The summer sail, and to the fav'ring wind  
 Unloose the wanton streamer. We are bound  
 On a delightful voyage, and such scenes  
 Await us, as the memory well may hold  
 While life retains a pulse. The surging snake  
 Has not more folds than Tamar, but ere noon,  
 Each wood-fringed headland doubled, we shall pause  
 Beneath the flashing Weir.<sup>2</sup>

The eagerness with which a teacher flies from his daily labours, to breathe the invigorating breeze, is well conveyed:

Man is bound  
 By artificial ties, where cities rear  
 Their huge circumference; but how he longs  
 To quit them for a season; how he strives,  
 Like some imprison'd bird that droops within  
 Its bars, to leave engirdling ties behind,  
 And feel the breeze of heaven upon his cheek,  
 The uncontaminated breeze, and rove  
 In the fresh fields, or skim the river's breast,  
 A joyous denizen of earth.

In Mount Edgcumbe, the poet has a beautiful theme, as it is a spot hardly equalled for loveliness by any thing we have in England. Mr. Carrington thus speaks of it, when dressed to the best advantage by the spring:

O when the breath  
 Of Spring is on thy renovated hill,  
 When all the buds are leaping into leaf,  
 And the broad sheets of early foliage clothe  
 Anew thy waste of bough, delicious 'tis  
 To look on thy peninsula. When rests  
 The beam of Summer on thy pomp of woods,  
 Grove over grove ascending from the edge  
 Of the brown cliff, to where the wild van lifts  
 Its crown of pines, and all, impressively,  
 Rest at high noon beneath the bright serene,—  
 Breezeless the land, waveless the circling sea,  
 Above all green and glowing, all below  
 Blue with that girdle of the Atlantic—blue  
 And studded o'er with diamonds which the Sun

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<sup>2</sup> The Tamar is navigable as far as the Weir, which, following the eccentric course of the river, is twenty-one miles from Plymouth Dock.

Has sprinkled on it, every stranger eye  
Brightens with ecstasy!

The following is a very pleasing sketch of Beggar's Island, a little barren rock in the Tamar, near Anthony, the seat of the Right Honourable Reginald Pole Carew :

Broad glitt'ring to the Sun  
His tributary course the Lynher leads  
Between his headlands green. That sweep of wood  
With which luxuriant Anthony bedecks  
The southern bank, seems gracefully to spring  
E'en from the shadowy wave, where mimic groves  
Display their answer'ing foliage. Breasting there  
The swelling tide, that lonely island mark,  
Seldom by human foot impress'd. Around  
The surge is moaning, or the sea-bird screams,  
All noiseless else is that deserted spot,  
Yet pleasing, fixing, interesting still,  
By mere association with the charms  
Which dwell so near it. 'Tis a well-placed foil  
Upon the cheek of beauty ! Either shore  
Presents its combinations to the view  
Of all that interests, delights, enchants ;—  
Corn-waving fields, and pastures green, and slope  
And swell alternate, summits crown'd with leaf,  
And grove-encircled mansions, verdant capes,  
The beach, the inn, the farm, the mill, the path,  
And tinkling rivulets, and waters wide  
Presenting here the semblance of a lake,  
There, winding round some unexpected point,  
Now shut, now open. Nor is wanting oft,  
Dotting the sun-bright flood, the varying sail  
Of barge, or fisher-bark, or painted skiff  
Of joyous voyagers.

There is something very fine in his description of the banks of the river about Cotechele :

Amid the verdure of the steepy bank,  
The rocks jut out, in careless grandeur piled ;  
Nature has stained them with her pencil,—some  
On their rough sides her beauteous lichens wear,  
Or white or yellow ;—others have a wreath  
Of ivy, glossy, green and dark. Between  
The granite masses rise the trees and climb  
The precipice, until they scale its brow  
Triumphantly ; while in the flood below,  
All that adorns the bank appears again  
Inverted. Faithfully the mirror shows  
The lowliest flower that blooms upon its marge,  
The quiv'ring reed, the ascending grove, the rocks  
With their rich colourings ; and the beauteous swan,  
If here he oar'd his way, might see his bow  
Of snow reflected in the liquid world.

And there is stillness too that may be felt,  
 No sounds profane this holy solitude ;  
 No fitting wing is heard, nor sudden leap  
 Of sportive fish, nor gush of woodland song :  
 Silence upon the waveless bank might hold  
 Her solemn court, beneath the shelt'ring woods,  
 And with her sister, Contemplation, pass  
 The pensive hour in mental converse high.

And in his reflection on the vale of Danescombe.—

Hard by, the peasant shows the shelter'd vale  
 Through which the Danes held on their ruthless way  
 To Hengeston's bloody eminence, and still  
 He names that valley Danescombe. Proudly pass'd  
 The long array of banner, lance, and plume,  
 To yonder mountain side. The shock was fierce  
 When Briton, Dane, and Saxon met; the dead  
 Strew'd the ensanguin'd field. That fearful day  
 Has made the moorland memorable, nor  
 Has Time yet smooth'd with his all-levelling hand,  
 The mounds that Piety rear'd o'er the slain.

The winding of a bugle-horn thus alarms the birds of Tamar's banks :

Hark ! the bugle breaks  
 The deep repose ! The shores are echoing round,  
 And the rich stream of melody rolls down  
 The steeps sublime, and sweeps with lightning speed  
 The sounding groves and the rejoicing vales :  
 A thousand wings are sailing the mid air,  
 For the blast shook the woods ;—'tis o'er,—again  
 Silence assumes her sway, the feather'd tribes  
 Drop one by one into the peaceful shades ;  
 And nought in this sweet solitude is heard,  
 Save distant bell or lapse of silv'ry rill.

After this, the poet and his friends leave the rooks to their repose, and sail down the dusky river towards their home. The reader of 'The Banks of Tamar' will accompany the poet with pleasure to the end of his excursion, which is modestly and pleasingly described.

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## HISTORICAL SKETCH OF THE RISE AND PROGRESS OF THE BRITISH POWER IN INDIA.

### No. V.

It has already been related that Jaffier Khan engaged the English in his interest by the promise of large sums of money. The same kind of promise had purchased the co-operation of the Native chiefs. But now that Jaffier was Subahdar, it was found by both parties that owing to various causes his treasury was much too scanty to enable him to fulfil his engagements. He in vain endeavoured by private bribes to lessen the public demands of the English, and, exasperated by disappointment, began to hope for their removal.

During the government of the two preceding Subahdars, it had been the policy of the rulers to employ a number of Hindoos in offices of trust, in preference to foreign adventurers. To Dooloob Ram, one of these Hindoos, Meer Jaffier was much indebted both during his conspiracy against Suraja Dowla, and previously. This did not, however, prevent Jaffier from determining on his ruin, as well as that of various other Hindoos.

But while his mind was busy with these schemes, discontent and insurrection were spreading through the provinces: the Rajah of Midnapore, two of whose relations Jaffier had imprisoned, took arms; a pretender to the nabobship appeared in Dacca: another in Poorneah; and the Subahdar's resolution to remove the Governor of Berar necessarily created another enemy. By the mediation of Clive, the Rajah of Midnapore was reconciled to Jaffier; who also succeeded, by the assistance of the English, in quelling the insurrection at Dacca.

When the Subahdar, after various delays, proceeded from the city towards Poorneah, his son, who had been left governor in his absence, propagated a report that a conspiracy to raise to the government the son of a younger brother of Suraja Dowla, had been formed; to prevent the execution of which, he murdered the young prince. In the course of the same month, (November 1757,) Clive arrived with his forces at Moorshedabad; but the general of Jaffier having succeeded in dispersing the rebels in Poorneah, his services were not wanted in that quarter.

The Subahdar had other designs, however, in which the aid of the English would be absolutely necessary, especially his meditated attack upon Bahar. In any of these Clive now refused to co-operate, unless the entire demands of the English were previously satisfied. Without Dooloob Ram, these payments could not be made, and therefore Clive effected a reconciliation between him and the Subahdar, and on engaging for his safety, induced him to join the army with 10,000 men.

These events, as well as the intrigues that accompanied them, are mean and obscure, and would not deserve to occupy a page in the

history of the world, had they not led to important results. The prosperity and riches of the East India Company did not, like those of other political bodies, arise out of brilliant victories, or sagacious laws, but from casual strokes of cunning, made occasionally by its servants from the mere natural desire of performing something. In the present instance, after dexterously bending the resolutions of the Subahdar respecting Ramnarain, from their first direction, and representing the danger of a Mahratta invasion, Clive contrived to obtain from Jaffier a grant of the monopoly of salt-petre.

In fact, the Subahdar of Oude, with a body of Mahratta horse, and a party of French under M. Law, now meditated the invasion of Bengal, and the Mahrattas despatched one of their body to Moorshe-dabad to demand the arrears of tribute. During his stay at Jaffier's capital, Clive received intelligence of the indecisive engagement that had taken place between the English and French fleets on the coast of Coromandel, and this, like a true politician, he turned to the utmost advantage, representing the affair as a complete naval victory. He returned immediately afterwards to Calcutta, where, in June, a commission for new-modelling the government arrived from England, in which he found he had been altogether overlooked. But the Council, which fully understood his importance, contemned the orders of the Directors, and constituted Clive sole President.

At this time the Nabob was so harassed by the demands of the English for money, territory, and exemptions, and by the impatience of his troops for their arrears of pay, that he declared to one of his favourites, who betrayed him, that were a French force to come into the province, he would assist them, unless the English desisted from their demands. In order to extricate him from some of his difficulties, Nuncomar, a man employed by Dooloob Ram in the affairs of the revenue, engaged to raise the requisite sums, if supported by the Government. He joined in the desire of the Subahdar to have Dooloob Ram removed, and began to undermine his credit and reputation with the principal Hindoos of Moorshedabad. Perceiving now how the matter was likely to terminate, Dooloob requested permission to retire with his family and effects to Calcutta; and after several times running the most imminent risk of his life, at length obtained it through the interference of Clive.

Meanwhile, very distressing intelligence had arrived from Madras, where the French were now successful, having taken Fort St. David, and laid siege to Tanjore. As many troops as could possibly be spared were demanded, in order to prevent the entire ruin of the English affairs in the Carnatic. These solicitations Clive treated with neglect, resolving neither to repair to Madras himself, nor to send thither any of his troops; and an enterprise at that moment presented itself which seemed to give a colour for his detaining the troops. This was an expedition against the French in the Northern Circars, to which one of the chief Polygars, desirous of giving a new master to the provinces, invited him. The person pitched upon to be raised to the government of the provinces was the Rajah Anunderaaz;

and Colonel Forde, whom Clive appointed to command the expedition, disembarked at Vizigapatam, and joined his forces to those of the Rajah. By the treaty concluded between him and the English, he was to be put in possession of all the interior of the country, and his allies were to have all the sea-ports and towns on the mouths of rivers. The maintenance of the troops was to be furnished by the Rajah.

The French under M. Conflans, appointed to the command on the recall of Bussy, were now concentrated about Rajamundry, and the numbers they were enabled to bring into action were not inferior to those of the English. When the latter approached Rajamundry, the French gave them battle, and sustained so complete a defeat that they were not only compelled to abandon their camp, but also to fly from the city. The Rajah remained inactive during the engagement, and afterwards detained for fifty days the operations of the army, by neglecting, or by being unable, to furnish money for the troops. At length a small sum was obtained from him, and the army advanced upon Ellore, where it was joined by the Zemindar of the district.

M. Conflans now shut himself up in Masulipatam, where he was besieged by the English, and solicited the assistance of the Subahdar of the Deccan, whose territory in fact he was defending. Salabut Jung perceived the policy of supporting the French, and marched towards the coast with a numerous army. The English were now in the greatest peril. A French army of observation had retaken Rajamundry; another was advancing towards Masulipatam from Pondicherry; Salabut Jung was approaching, and they had now in their camp only two days' ammunition for the batteries. In these circumstances, Colonel Forde came to the desperate resolution of assaulting the place at midnight, and by great daring, which at one time seemed to threaten their total ruin, succeeded in carrying the city.

Upon this the Subahdar concluded a treaty with the English, and granted them a considerable territory about Masulipatam, at the same time engaging for ever to exclude the French from his dominions. The French army of observation joined the Subahdar's rebellious brother, and the forces from Pondicherry returned.

About this period various powerful Native Chiefs, among the rest, the Nabobs of Allahabad and Oude, entered into a confederacy against Meer Jaffier, and placed at the head of their enterprise, the eldest son of the Mogul Emperor, then in voluntary exile among the Rohillas. The Emperor, Aulumgeer II., though held in a state of servitude by his Vizier, granted to his son the legal investiture of the subahdarship of Bengal, Bahar, and Orissa; and the Prince, crossing the Carummissa into Bahar, commenced his expedition towards the conclusion of 1758. Through his wasteful and negligent administration, and the cruelty and ferocity of his son's conduct, Jaffier, whose soldiers were ill-paid and mutinous, was now reduced to a total dependence on the English, whom he had previously resolved to expel from his province. Rannarain, the Hindoo governor of Bahar, was placed in a difficult position by the approach of the Prince. To



Jaffier, who had long meditated his removal, he owed neither love nor fidelity; but, notwithstanding, he thought it prudent not to side openly with the Prince, unless fortune smiled upon his cause. For a while, therefore, he negotiated with both parties: but paying a visit to the Prince's camp, now in the environs of Patna, and observing the weakness of his forces, he, on his return to the city, shut his gates against him.

While Clive was preparing to enter into a rebellious struggle with the son of the lawful monarch of Bengal, the wickedness and treachery of that Prince's own supporters rendered the contest unnecessary. For, the Subahdar of Oude seizing on the fortress of Allahabad, in the absence of its Nabob, the latter quitted the Prince immediately to attempt the recovery of the place, and was soon after inveigled into the power of the Subahdar of Oude, and put to death. Upon this, the Mogul Prince, now rendered destitute of friends and resources, was induced to write to Clive, offering, in consideration of a small sum of money, to retire from the province. The Colonel readily complied, and in June 1759, returned to Calcutta. Jaffier, to show his extreme gratitude to Clive, now obtained for him the title of Omrah, and bestowed upon him the whole amount (about 30,000*l.* per annum) of the rent which the Company paid for the territory which they held round Calcutta.

Immediately after this, the Dutch, though then at peace with England, fitted out a powerful armament destined to attack Bengal, from motives not exactly known. They arrived in the Hoogley towards autumn, with seven ships, and a considerable body of European and Malay troops; and landing the soldiers, marched towards their factory of Chinsura. Having obtained Jaffier's authority to attack them, Clive despatched Colonel Forde to intercept the troops, and commanded three of the Company's ships, fitted out and manned for the purpose, to engage the Dutch East Indiamen. The English were successful in both enterprises; and the Dutch tacitly acknowledged the injustice of their conduct by paying the expenses of the war, their ships and treasures being restored to them. Having composed his differences with the Dutch, Clive resigned the government at the beginning of 1760, and sailed for Europe.

Aulumgeer having been murdered by his Vizier, his eldest son, now again meditating the invasion of Bengal, assumed the title of Emperor, appointed Suja Dowla, the Nabob of Oude, to be his Vizier, and confirmed Nujeeb ud Dowla in the office of Emir al Omrah; and far from abandoning his attempt upon Bengal, he now carried on his preparations with more vigour, and in the beginning of 1760, commenced his march with an army of nearly 60,000 men.

The command of the English forces in Bengal had devolved upon Colonel Calliaud, who, as both Clive and Forde were returning to Europe, was recalled from the Carnatic to supply their place. When the Emperor advanced into Bahar, Calliaud, with his English troops, and Meeran, (Jaffier's son,) with 15,000 Natives, hastened to meet him. But before they could come up with him, he had approached

Patna, engaged and defeated Ramnarain, assisted by a small number of Europeans, and commenced ravaging the neighbouring country. Soon afterwards, however, Calliaud and Meeran gave him battle, and compelled him, after a complete defeat, to retire towards the town of Bahar. Meeran, having been slightly wounded in the action, refused to pursue the enemy, or to suffer Calliaud to proceed with any of his troops, and resolved to indulge himself for some time in Patna. Meanwhile, the Emperor formed a bold resolution. Suddenly turning round from Bahar, he marched with all possible expedition towards Moorshedabad, in the hope of being able to surprise it, and take the Nabob prisoner. Advancing upon Bahar, and gaining intelligence of the Emperor's movements, Calliaud immediately felt the necessity of the most rapid pursuit, and after a tedious march through the mountains, came up with the imperial forces on the plains of Bengal, about thirty miles from Moorshedabad. Though the Emperor had been joined during his march by a party of Mahrattas, he did not think it prudent to risk another battle, and accordingly set fire to his camp and fled.

After the most impolitic delay, during which the chances of success were greatly diminished, the Mogul turned his attention to the siege of Patna. He had now been joined by a party of French troops under M. Law, and conceiving that with their assistance he should be able to carry the place by storm, he commanded Law to attempt an assault. Suspecting the intention of the Emperor, Colonel Calliaud had despatched towards Patna two hundred chosen Europeans, under Captain Knox, and fortunately this reinforcement arrived just as the defence of the city began to appear hopeless. On their approach the Mogul withdrew towards Teekaury, whither the Naib of Poorania, having now collected an army, attempted to march. As it was of the greatest importance to prevent his design, Captain Knox, with the most intrepid gallantry, crossed the river with his handful of men to attack him; and being assisted by the Rajah Shitabroy with about two or three hundred men, succeeded in defeating him entirely, within sight of Patna.

After this, the Naib marched towards the north, and, being pursued by Calliaud and Meeran, would probably have been cut off, had not the latter been slain in his tent by lightning. This event compelled Calliaud, in order to keep the Nabob's forces together, to abandon the pursuit of the Naib, and return to Patna.

The affairs both of Jaffier and the English were now much embarrassed; discord was gaining ground in the Council of Calcutta; Jaffier's troops surrounded his palace and threatened to put him to death; and, in all probability, would have put their menace in execution, had not Meer Causim, his son-in-law, in part satisfied their demands, and persuaded them to rely on Jaffier's promises for the remainder.

The pecuniary difficulties of the English were extreme; for when Mr. Vansittart, the new Governor, arrived in Bengal, he found that the treasury was empty; and the troops, who deserted daily for want

of pay, on the brink of breaking out into open mutiny. From the Nabob they could obtain neither the arrears of the allowance for the troops, nor the balance due upon his first agreements. In this exigency they determined to dethrone him, and place the government in the hands of Meer Causim. Some advised to embrace the cause of the Emperor, but they were not heard; and Meer Causim, coming into the views of the Council, was virtually acknowledged as Nabob of Bengal in September 1760. Jaffier disdained or feared to preserve the shadow of sovereignty without the substance, and retired to live as a private individual at Calcutta.

This important revolution having been effected by a select committee, several members of Council, whose opinion had not been consulted, openly expressed their disapprobation of the measure. Some of these members had been offended by the irregular appointment of the new Governor; others had other causes of complaint; but all concurred in thinking that the step taken would by no means remedy those evils it was meant to remove.

The opening of Meer Causim's administration appeared to justify the expectations of his supporters; he paid the arrears of the English troops at Patna; so far satisfied the troops of the Subah that they were ready to take the field; and in part discharged his pecuniary engagements with the Company.

The province of Bahar had been so severely ravaged by the troops of the Emperor, that when Major Carnac, who succeeded Calliand, arrived at Patna, it was determined forthwith to make every effort to drive him out of the country. In consequence, Carnac followed and engaged with the imperial forces. The Mogul was defeated, and M. Law, his French ally, was taken prisoner during the battle, which took place early in the year 1761. It was followed by an inconsiderable insurrection in the Emperor's favour, in Bengal, which Meer Causim himself, with very little assistance, suppressed.

After the Emperor had been defeated, the English themselves made overtures of peace, and Major Carnac having visited him in his camp, conducted him to Patna. These negotiations were little agreeable to Meer Causim, who, in order to observe their progress, repaired to Patna, where he thought fit to bear himself with much insolence towards his sovereign. He however received from the Emperor investiture as Subahdar of Bengal, Bahar, and Orissa, engaging to pay annually a certain sum to the imperial treasury. Shortly afterwards, Shah Aulum departed under the protection of several Afghaun chiefs for Delhi, escorted to the frontiers of Bahar by Major Carnac.

Meer Causim now began to feel the insuperable difficulties of his position, and meditated every treacherous and cruel method to maintain his authority. The money he had at first raised was the produce of every extortionate practice; but as the same means no longer produced the same result, for the people's resources were exhausted, he now turned his views upon Ramnarain, in the hope of finding a present resource in his coffers. Ramnarain, however, as well as himself,

was under the protection of the English, and Meer Causim was therefore aware of the necessity of procuring their connivance at his ruin. Colonel Coote, (now in the principal command at Patna,) and Major Carnac, were disposed to protect Ramnarain; and, therefore, as Meer Causim had persuaded Mr. Vansittart to enter into his views, those two officers were recalled from Patna. Immediately after their departure, Ramnarain was thrown into prison, and despoiled of every thing he possessed, which proved to be very little.

The conduct of the English Governor, upon this occasion, extinguished in the Natives all confidence in British protection; and ushered in those disputes between the Nabob and the Company's servants about the internal trade, which were the cause of important revolutions. Changes also, impairing the Governor's power, were at the same time produced in the Council of Calcutta; and the letters of the Court of Directors were of so harsh a nature that several eminent officers, among whom was Clive, resigned their appointments, and addressed a very free expostulation to the Court.

The Directors, upon the receipt of this address, were so transported with resentment, that they despatched the most imperative orders to the Council of Calcutta, directing the instant dismissal of all those of their servants that had signed the obnoxious expostulation, and had not at the same time resigned. The persons thus dismissed were to be transported to England by the first conveyance; and their departure gave strength to the party opposed to the Governor. One of these, a Mr. Ellis, now obtained to be chief of the factory at Patna, and soon exerted his authority to the extreme annoyance of the Nabob. One of Meer Causim's collectors having hesitated to permit a quantity of opium, the property of a private individual, to pass free of duty, as the Company's property, Mr. Ellis ordered him to be seized and imprisoned. On another occasion, a man of high rank had purchased a quantity of saltpetre for the Nabob's use; for which, as the monopoly of that article had been granted to the Company, he was seized, put in irons, and sent down a prisoner to Calcutta, where it was deliberated in the Council whether he should be publicly whipped, or have his ears cut off! Other insults and provocations the Nabob received from Mr. Ellis, till at length he declared to the President that, under the disgrace of such treatment, it was in vain for him to expect obedience from his subjects.

Hitherto he had been successful in his administration; he had reduced the rebellious zemindars; discharged the whole of his pecuniary obligations to the English; introduced economy into the government, and improvement into the army; but now his whole affairs were disorganized by the pretensions of the Company's servants.

It has been already stated, that the Company obtained very early an exemption from the dues collected from the Native merchants, having goods passing through the interior of the country. The same exemption had never been extended to the private trade of their servants, which was carried on in the interior; but upon the elevation of Meer Jaffier, taking advantage of the times, they evaded the laws,

and by degrees fraudulently made use of the Company's passport to protect their own private trade. The Nabob's collectors, perceiving the ascendancy of the English, seldom dared to look nicely into the use made of the Company's passport, which daily becoming more and more extensive, threatened at length to dry up one of the sources of the public revenue, as well as utterly to ruin the Native traders. If any of these collectors interfered, and endeavoured to prevent the fraud of the English, he was generally seized and imprisoned by the Company's officers! Meer Causim complained of these enormities to the President and Council of Calcutta, affirming, and with truth, that the English chiefs monopolized the trade, and usurped all manner of authority in every district of his government.

The Governor attempted, but in vain, to repress these evils by gentle means; they increased in spite of his endeavours; and at length were carried to so high a pitch, that the Natives were compelled to exceed the market price when they purchased from the Company's servants, and when they sold to them, to accept of less. When the Natives were unable or refused to comply with their demands, they were immediately flogged or imprisoned! The Council, when representations of these enormities were presented to them, affected to be incredulous; but, in fact, receiving vast sums from the encouragement of these abuses, they were strongly interested in resisting all inclination to reform. The Nabob now appearing to be highly exasperated, he was suspected of meditating hostilities; to prevent which, Mr. Vansittart, the Governor, procured an interview with him. At this meeting it was agreed, after much difficulty, that the Company's servants should participate in the internal trade, on paying a fixed duty, vastly less than what was exacted of other traders. This advantage by no means satisfied the members of Council; and as the Nabob hastened to act upon the new arrangement before the English officers in the various districts of his government had been apprised of the matter, much disorder was created. The members of Council now resolved that the President had no authority for what he had done, and sent directions to the factories and agents to resist or imprison the officers of the Nabob who should offer them any obstructions. In his meeting with the Nabob, Mr. Vansittart had agreed that nine per cent. should be paid by the Company's servants on all articles; but the Council now decided that, out of compliment to the Nabob, they would consent to pay two and a half per cent. on the article of salt alone, and no other.

Meer Causim received intelligence of these transactions on his return from an unsuccessful attempt upon the kingdom of Nepaul; and so indignant was he at what had taken place, (his officers had frequently been imprisoned for endeavouring to put his orders in execution,) that he entreated the English to relieve him from the burden of the subalidary, since they had deprived him of the power of carrying on the government. The next step he took was to abandon all duties on the transit of goods, by which means alone he could now place the Native trader on a level with the English. The Company's

servants, however, insisted that he should continue to impose duties on all traders but themselves; and to enforce these unjust and absurd conditions, despatched a deputation to him. The oppressions he had undergone, and the measures he daily saw pursued by the English, especially by Mr. Ellis, at Patna, had now so far exasperated the Nabob, that he prepared for war, and applied for assistance to the Emperor and the Nabob of Oude. The arrival of some boats laden with arms, at Mongheer, in May 1763, confirmed the Nabob in his opinion, that he was to be attacked by the English, and he had the courage to seize and detain the boats. The Council affected to consider this a very flagrant offence, and sent directions to their deputation to take their departure, unless the boats were allowed to proceed.

During these negotiations, Mr. Ellis obtained from the Council permission to seize upon Patna, and began to make preparations for attacking the fort. News of this was conveyed to the Nabob, who, thereupon, immediately gave orders again to seize the boats, which he had been prevailed on to release; he also detained one gentleman of the deputation as a hostage for the Nabob's aumils, imprisoned by the English. As soon as Mr. Ellis learned that the principal person of the deputation had left the Nabob, he surprised and took the city of Patna; upon which, Meer Causim commanded his subjects to make prisoners of the English wherever they were to be found; and sent a party after Mr. Amyatt, the chief of the deputation, to seize and bring him back to Mongheer. As that gentleman refused to submit, and fired upon the Nabob's people, he was slain, with several others, and the boats were secured.

These were the signals of hostilities; and the Nabob was encouraged, in the outset, by the recovery of Patna, which the English lost by yielding too rapidly to their appetite for plunder. The Native Governor that had been expelled from the fort, returned to the place, upon receiving intelligence of the conduct of the English, and attacking them while they were dispersed about the town, drove them to their factory, from whence they escaped during the night, and were shortly afterwards taken prisoners on the frontiers of Oude.

It has been stated, that when Meer Causim was raised to the subahdarry, Jaffier, the former Nabob, retired to Calcutta. The Council now determined on reinstating him in his former dignity; and having formally dethroned Meer Causim in favour of Jaffier, on proceeding against him as a rebel. Meer Jaffier, anxious as a child to regain his power, engaged to perform every thing the Council desired, even to re-impose the duties on all articles of internal trade, leaving the English exempt from all, except the two and a half per cent. on salt, which they themselves agreed to pay. He engaged also to furnish the Company with vast sums to defray the expenses of the war; and to raise, at his own expense, an army of twenty-four thousand men. A treaty was concluded with him in July 1763, and, in the same month, he departed to join the army at Agurdeep.

The English came up with the Nabob's army, in August, on the

plains of Gheriah, and immediately gave them battle. In this engagement, the hardest fight the English had yet sustained with an Indian army, the troops of Meer Causim exhibited great courage and daring, broke a part of the English line, and took two guns. The conflict lasted four hours; but, at length, European discipline prevailed, and the Indians were driven from the field in disorder, leaving their cannon, and a great quantity of provisions. They retreated to a strong entrenchment which Meer Causim had formed on a neighbouring stream, where they defended themselves during a whole month against the attacks of the English. They were driven, however, from thence also, and the Nabob retired, first to Mongheer, and afterwards to Patna. The English still continued to pursue his footsteps, and, in the month of October, took Mongheer by capitulation. Meer Causim had already perpetrated several assassinations during his retreat; and now, upon receiving intelligence of the fall of his capital, gave orders for the massacre of all the English prisoners. His command was executed with alacrity by a German in his service. Not a man was spared, except Mr. Fullerton, a surgeon, for whom Meer Causim had some affection. The English still pursuing their advantages, took Patna in November; and now Meer Causim, despairing of opposing them with success, threw himself under the protection of the Nabob of Oude.

At this time, the Emperor himself happened to be encamped along with the Nabob at Allahabad, meditating an expedition against certain refractory subjects. Meer Causim undertook to subdue the rebels, and succeeded; and then induced the Nabob to march against the English ostensibly for his restoration. The English, among whom mutiny already prevailed, retreated before the Nabob, and were pursued to Patna, which was itself vigorously assaulted by the enemy. By the gallantry of the besieged, especially of the sepoy, Sujah Dowla was repulsed, and compelled to retreat towards his own province. Negotiations were now opened between him and Meer Jaffier, but as both parties demanded what could not be granted, they led to no accommodation, and the Nabob hastened to his own dominions.

In May 1764, Major Munro arrived from Bombay to assume the command of the army. He found it in a state highly mutinous and threatening; and was compelled to resort to the most bloody measures to reduce it to a sense of duty. Four-and-twenty of the boldest of the mutineers were blown alive from the cannon's mouth, and order was restored.

In September, towards the close of the rains, Major Munro advanced towards the enemy, now encamped in the vicinity of Buxar. In the battle which ensued, the English were completely victorious; and as Sujah Dowla was the last of the powerful Mogul chiefs, the Emperor himself was now left dependent on the English, become, by this success, the greatest power in India.

The Nabob of Oude now made overtures of peace; but as he refused to deliver up Meer Causim, and other persons demanded by

the English, he was unsuccessful; and the Emperor, a more fortunate negotiator, concluded a treaty with the Company, by the terms of which he was to be put in possession of all the dominions of Sujah Dowla. By an imperial grant, the English were to obtain possession of the district of Benares and the city of Gauzeepore. While these things were in progress, Meer Causim escaped, and took refuge among the Rohillas, with a portion of his treasures, his family, and a few of his friends.

In the mean time, Meer Jaffier was worn out with perpetual pecuniary demands, which were urged without delicacy or justice. The treasury of the Company, it is true, was excessively exhausted, and there was a necessity for filling it in some manner or other. But it was private avarice and cupidity that chiefly weighed down the Nabob, who, now in years, and bending beneath the pressure of calamity and disease, at length retired to Moorshedabad, and died in January 1765.

He was succeeded by his son, Nujeeb ud Dowla, a youth of about twenty years of age. The English might at this time have kept the provinces entirely in their own hands, but they willingly accorded the name of sovereignty to a Nabob, who must leave them every advantage of the reality. They granted this new prince a few troops for parade, but kept in their own hands all the forces destined for the defence of the Subah. He obtained from the Council permission to employ as his minister, the Hindoo, Nuncomar, an artful flatterer, who governed the Nabob entirely, and was one of the worst men in India. This man was exceedingly obnoxious to the English, and had only been preferred by the Council from the most factious motives. In their treaty with Nujeeb ud Dowla, the English now dictated their own terms, and therefore obtained every thing of moment which they desired.

For some years the Court of Directors had not exerted any very active control over their servants in the East; but they now received accounts so alarming of the mismanagement and impolicy of the Council of Calcutta, that they felt the necessity of interfering effectually. Though Clive, on throwing up his government of Bengal, had grossly insulted them, and they had, in revenge, refused payment of the proceeds of his jaghire, their present difficulties pointed him out as the fittest person to be intrusted with the supreme command in the East, and he was re-appointed Governor and Commander-in-Chief in Bengal, and, with a select committee of four, named by the Directors, was empowered to act independently of the Council.

Besides the immense profits of their private trade, pursued without any regard to justice or humanity, the Company's servants in Bengal had amassed enormous wealth by the presents, which, under various pretences, they exacted from the Natives. It would now be of small utility to specify the sums granted to individuals whom history will by no means hand down to posterity; but it may be proper to state, that besides the produce of his jaghire, (about 30,000*l.* per annum,) Clive himself received presents to the amount of nearly three hundred thousand pounds; and that the whole of the presents received by the



English functionaries in Bengal, from 1757 to 1766, amounted to 2,169,665*l.* sterling!!

The Court of Directors now made it unlawful for any of their servants to receive presents amounting to above 4000 rupees, and reserved all above that sum for the Company itself. This was calculated to be beneficial to the Natives; for, undoubtedly, the members of Council, and others, would be less eager to acquire for their masters than they had been for themselves. But, however rapacious they had been, Mr. Mill thinks it *honourable* to them that they did not push their oppressions as far as was possible; a way of praising the moderation of men strongly bordering, we conceive, upon irony.

Lord Clive (such was now his rank) had no sooner arrived in India, than he perceived at once the immense prospects of fortunes for individuals, and empire to the public, that were beginning to be unfolded. His expectations for himself and his masters were large, and his first care was to take advantage of the times for the advancement of his own fortune. As he confidently anticipated a great rise in the price of India stock, he instantly despatched to England letters to his confidential agent, desiring him to purchase East India stock with whatever money he had in the funds, and elsewhere, and to borrow, besides, as much as he could in his name. Such is the calculating avarice which often taints and debases the minds of otherwise respectable men! The second governorship of Clive, with the events connected with it, we must lose sight of for a while, as the affairs of the Carnatic will next demand our attention.

THE WRECK—BY MRS. HEMANS.<sup>1</sup>

Her sails are draggled in the brine,  
That gladden'd late the skies;  
And her pennon, that kiss'd the far moonshine,  
Down many a fathom lies.

WILSON.

ALL night the booming minute-gun  
Had peal'd along the deep,  
And mournfully the rising sun  
Looked o'er the tide-worn steep.  
A bark, from India's coral strand,  
Before the rushing blast,  
Had veiled her topsails to the sand,  
And bowed her noble mast.

The queenly ship!—brave hearts had striven,  
And true ones died with her!  
We saw her mighty cable riven,  
Like floating gossamer!

<sup>1</sup> From the 'Literary Souvenir.'

We saw her proud flag struck that morn,  
A star once o'er the seas;  
Her helm beat down, her deck uptorn,—  
And sadder things than these!

We saw her treasures cast away:  
The rocks with pearl were sown;  
And, strangely sad, the ruby's ray  
Flash'd out o'er fretted stone;  
And gold was strewn the wet sands o'er,  
Like ashes by a breeze,  
And gorgeous robes—but oh! that shore  
Had sadder sights than these!

We saw the strong man, still and low,  
A crush'd reed thrown aside!  
Yet, by that rigid lip and brow,  
Not without strife he died!  
And near him on the sea-weed lay,  
Till then we had not wept,  
But well our gushing hearts might say,  
That *there* a mother slept;

For her pale arms a babe had press'd<sup>2</sup>  
With such a wreathing grasp,  
Billows had roll'd o'er that fond breast,  
But not undone the clasp!  
Her very tresses had been flung  
To wrap the fair child's form,  
Where still their wet long streamers clung,  
All tangled by the storm.

And beautiful, 'midst that wild scene,  
Gleam'd up the boy's dead face,  
Like slumbers, trustingly serene,  
In melancholy grace.  
Deep in her bosom lay his head,  
With half-shut violet eye;—  
He had known little of her dread,  
Nought of her agony!

Oh! human love! whose yearning heart  
Through all things vainly true,  
So stamps upon thy mortal part  
Its passionate adieu!  
Surely thou hast another lot,  
There is some home for thee,  
Where thou shalt rest, remembering not  
The moaning of the sea!

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<sup>2</sup> This circumstance is related of Mrs. Cargill, an actress of some celebrity, who was shipwrecked on the rocks of Scilly, when returning from India.

## THE JERUSALEM COFFEE-HOUSE IN LONDON.

*(From 'Le Globe,' a French Literary Journal.)*

THE Jerusalem Coffee-House is the rendezvous of owners of ships engaged in the commerce of India. A stranger, who enters it for the first time, is struck with astonishment at seeing a crowd of men moving around him with a kind of mercantile fury; he hears resound on all sides the words cotton, indigo, rice, insurance, bills of lading, cargo; he is every moment pushed by his neighbour, who is endeavouring to join those whom he has appointed to meet. A boy stands in a corner of the room to give the address of different captains, and to inform strangers of the hour at which they generally visit the Coffee-House. The walls are covered with hand-bills and printed placards, which specify the time at which the different vessels set sail, and describe all the advantages of their fitting-up; in order, however, that you may be still better able to judge of this, very detailed plans circulate from one table to another. One vessel is to leave positively in six days; another will set sail with all the speed possible; a third has almost all her cargo on board; a fourth has still two cabins to let; you must be quick, for you risk the not being able to procure a passage. A person who is not initiated in the customs of the Jerusalem Coffee-House, really hastens to make a choice; he makes arrangements with one of the owners, and pays in advance; he is assured by him that the vessel will sail at the time specified in the advertisement, and recommended to hold himself in readiness. The time arrives, but the vessel still remains on the stocks, and the deceived passenger lingers for weeks, and sometimes even for months, every day expecting his departure. But the experienced voyager, after having read the announcements at the Jerusalem Coffee-House, goes to the City Canal to see the vessels, and judge for himself when it will be possible for them to put to sea. He sees the first in the hands of the caulkers, without rudder, and without main-mast. The second is about to be put into dock because she has sprung a leak. The third is discharging her old ballast in order that they may clean out the hold; and, as to the fourth, the carpenters are on the point of beginning to construct a poop, and to build new cabins. Seeing this, he quits London and goes to make a tour on the continent, or to pass four or five weeks in Scotland; and, at his return, he finds that some of the vessels are ready to quit the port, and that the half of their cabins are still at his disposal.

SIR THOMAS STRANGE'S ELEMENTS OF HINDOO LAW.<sup>1</sup>

IF any proof were needed of the vast benefit conferred on India by the introduction of British courts of judicature, we might adduce the fact of the first work of this description having proceeded from the pen of a Judge presiding over one of these courts. It also happens that, almost simultaneously with this production of a late Chief Justice of Madras, another work of a similar kind has been given to the world by Sir Francis Macnaghten, lately presiding over the Supreme Court in Bengal. The latter having been printed in India, is as yet quite unknown in this country; but the letters received from Calcutta speak of it in high terms of commendation. We hail these productions with cordial satisfaction, on account of the immense benefits which must immediately result from such attempts to reduce the crude and conflicting mass of laws and usages prevailing in our extensive territories, into methodical order. Great, indeed, is the advantage of every approach towards this desirable consummation; but the efforts of the few English law Judges of his Majesty's courts, to accomplish this Herculean task, are, perhaps, still more important as a stimulus to the far larger body of the Company's judicial officers, who must be excited to emulation when they see their own peculiar study and province of juridical learning so successfully cultivated by others. With so much learning and talent, and strength of numbers, the pride and *esprit de corps* of the Civil Service must be wounded at seeing aliens and *interlopers* in the field of Native law bearing off the highest prizes; and although a Sir William Jones is not to be looked for in every generation, it is not too much to expect that out of the many hundreds who sit on the bench in the Company's courts, some one might be found to relieve English Judges of the task of providing elementary works on Native law. This is hardly less singular than if 'Blackstone's Commentaries' had been written by a Scotch Judge, or, rather, 'Eskine's Institutes' by an English lawyer, for the sake of the Scotch appeals in the Court of Chancery. The fact is, that the Company's Judges are so overwhelmed with the details and perplexities of practice in carrying into execution a system so defective, that they perhaps despair of ever being able to reduce it to a science. We also should despair of seeing a great work of this kind accomplished in the perfect manner it ought to be, unless a select commission were formed of the most learned and intelligent of the Natives from the different provinces, in conjunction with a number of the most talented members of the Civil Service and King's Courts, to arrange and digest a complete code of laws for the British territories in India, adapted to the long-established institutions and present circumstances of the various inhabitants. The

<sup>1</sup> Elements of Hindoo Law, referable to British Judicature in India. By Sir Thomas Strange, late Chief Justice of Madras. London, 1825. 2 vols.

introduction of such a system (together with Colonization) would be equivalent to a second founding of our empire in the East.

One object which the author of this work has much at heart, is, to preserve to the people of India their antient institutions with as little change as possible. That all unnecessary innovation is to be avoided, we fully agree; as every compulsory change in the habits and customs of a people must occasion suffering and uneasiness, which ought never to be risked, except when clearly compensated by greater benefits. But when the feelings and good sense of the people, or of the more enlightened portion, tell them that their condition would be bettered by the change; then, to adhere to what is established, merely because it is so, is blind prejudice and obstinacy. In our present system of rule, however, the great difficulty is to know what changes may be made with advantage, without giving too great a shock to Native prejudices; for while the people have no participation in the government, no representation through any public body, no public meetings or right of petition, by which their wishes might be collected and expressed, and no press to make them known,—we are far more destitute of that knowledge requisite for the proper discharge of our duties in rulers, than any Turkish divan or Dey of Algiers. A commission of the kind above alluded to, for the formation of a code of laws, would be a temporary remedy for this total want of sympathy between the people and the legislative power. Without such a community of feeling and sentiment, it is as difficult for the body politic to exist, (as a writer<sup>2</sup> lately observed,) as a natural body, when the nervous communication between the head and the other members is cut off. It must be restored either by bringing the people in closer contact with the rulers, in the manner above suggested, or by Colonization, to engraft the rulers more firmly among the people. That Sir Thomas Strange strongly feels the evils of our present system of rule, is manifest from the concluding part of his introduction to the work, which deserves to be extracted, for the just and humane sentiments it contains:

If others have had to vindicate themselves from the presumption of attempting tasks, in which they have been ably preceded, the present is an instance, where one of considerable difficulty and nicety, as well as of importance, has been ventured upon without a guide. No work of the kind existing in the English language, of the utility of such a one, according to the merit of its execution, little doubt can be entertained; adverting especially to the more modern materials, upon which it is in part founded. For the undertaking, the author is not without a becoming consciousness, how greatly it will stand in need of apology; and this not the less, if he have been so ill advised, as to have been throwing away his labour on an unworthy subject. Howsoever it may have been disesteemed by some, it is sufficient surely to entitle it to attention, that it is the law, by which are to be regulated the civil interests of the Hindu population of so extensive a portion of the empire as India embraces. In preserving it, so far as Britain has done, to the millions who claim the benefit of it as their inheritance, she

has conformed to the wisdom of experience, and the dictates of humanity ; considerations (it is not irrelevant to remark) that appear to have had their influence with this very people themselves, as referable to others, from the earliest period of their legislation. Speaking of the king having effected a recent conquest, " Let him (says Menu) establish the laws of the conquered nation, as declared in their books." And, while such shall continue to be our policy, it must follow that every attempt to facilitate a knowledge of them, among those by whose instrumentality they are to be administered, must be in itself laudable. It is the duty, as well as interest of Britain, to foster those whom it has become the unworthy fashion to abuse and undervalue. It were at least a more magnanimous course, *parcere subjectis*. Nor can it be a commendable one, in any point of view, to irritate, by insulting them. It is true, that works calculated to produce this effect, are not very likely to find their way to Hindu understandings. But they influence but too often the creed of those by whom Hindus are to be governed ; and our tenure of India will be but little strengthened, by the conqueror, in the persons of the Company's writers and cadets, being taught to contemplate the conquered with horror, and to look down upon them with contempt.

It is not a little to be lamented that elaborate works have been written on India with this injurious tendency. It is a far less misfortune to that country to have been conquered by our arms, than to be reviled by our literati, who excite their victorious countrymen to despise and trample upon a fallen people. Their manners, so different from those of the West, afford their ungenerous contempters a ready handle for exciting a prejudice against them. Their literature is equally unfortunate when tried by the principles of taste formed upon the entirely different models of Europe ; and in order to debase their laws in our estimation, they have been compared with an imaginary standard of perfection that never existed in the world. But Sir Thomas Strange, who has spent many years in a profound investigation of them, and, from his professional knowledge, has been able to compare them with the most perfect codes yet produced by the mind of man, entertains great respect for the laws of the Hindoos. He has indeed repeatedly occasion to lament, that the most important deviations from them by the British are by no means improvements, but the source of great evil and injustice. Not to anticipate what we have to say on these innovations in detail, we proceed, first, to state the authorities on which the present work is founded.

It originated, we are told, in the possession of a mass of opinions by the author upon points of Hindoo law, delivered by various pundits, on references from the courts dispersed in the territories dependant on the Government of Madras. They were, at his desire, transmitted to him, from time to time, by various Company's Judges, during a period of several years while he exercised the judicial office there ; and having been subsequently submitted to and commented upon by Mr. Colebrooke, and in some instances by his nephew, Mr. Sutherland, of Bengal, as well as by the late Mr. Ellis, of Madras, the author thought the whole much too valuable to be lost to the public. Having selected and arranged these materials while in India, after his return to England the enjoyment of leisure suggested a compilation

which might effectually facilitate to all having occasion to become acquainted with it, a connected knowledge of the Hindoo law, to the extent of its use in the British courts established in India, whether under the direct authority of the King or the Company. As the author has not been in the more favourable situation of the Company's Judges for making himself acquainted with the Oriental languages, the sources of this work are the printed books on Hindoo law, rendered accessible to the English reader by the labours of Sir William Jones, Mr. Colebrooke, Mr. Sutherland, Mr. Wynch, and others, compared with the valuable manuscript documents before mentioned. The work is divided into two parts: the first volume containing the Elements of Hindoo Law, digested in twelve chapters, under the following heads: 1st, On Property. 2d, Marriage. 3d, Adoption. 4th and 5th, On the Paternal Relation. 6th, On Slavery. 7th, Inheritance of Property held in Severalty. 8th, Inheritance of Property held in Coparcenary. 9th, Exclusion from Inheritance. 10th, Charges upon the Inheritance. 11th, On Widowhood. 12th, The Testamentary Power. 13th, On Contracts. The second volume, and by much the largest, contains the opinions of the pundits, with the comments on them by the gentlemen above named, printed under the title of *Responsa Prudentum*, after the manner of the Doctors of the Civil Law. In the present state of things, an individual so situated could not have adopted a better mode to ascertain with accuracy the Hindoo law as it now stands. Still a thorough acquaintance with the original works, unsophisticated by comment and translation, would have been a most important qualification for the author, to save him from the errors of our court pundits, often ignorant, and not unfrequently unprincipled. As an instance, we select the following case proposed to a pundit, with his answer (Vol. II. p. 312):

"A married woman having formed a connexion with a stranger, her husband, without any judicial inquiry into her conduct, turned her out of doors, and she never returned to him during her life. He dying without male issue, is she, under these circumstances, entitled to succeed to his estate?" ANSWER. "If instead of bringing to a public test the suspicion he might entertain of his wife, the husband turns her out of doors, and the matter rests here, her rights remain entire. *But she should be provided with proofs of her innocence.*" This is the judgment of a pundit; but neither law nor reason can require any one to prove a negative, or to be armed with evidence to annihilate a non-entity. It is for those who accuse, and wish thereby to disinherit her, to prove her guilt.

Elsewhere, we have noticed an extraordinary opinion given by the pundits on the subject of suttees, to this effect: that because preventing the woman's egress from the fire, or attempting to drown her, are not specified in the shasters as crimes, therefore they are not so. A conscientious lawyer would have said, that because there is a general denunciation against taking away the life of another, and this mode of doing it is not specially excepted from it, therefore this is punishable as murder. The author, indeed, appears fully sensible of the little

reliance to be placed on these interpreters of the law. He speaks of their opinions as always "desultory and redundant;" and states, that he has been obliged to strip them of the irrelevant and superfluous matter, to prevent the book from swelling to an inordinate bulk. It would be well for us if English lawyers, with their endless repetitions, were to reform in themselves the evil they so freely condemn in others. The Hindoo pundits might well retort upon them—"First pull the beam out of thine own eye, and then wilt thou see clearly to pluck out the mote that is in thy brother's eye."

As these opinions have been so modified and curtailed that only the substance of them is professed to be given, their value for reference in rare and difficult points cannot be great. The chief importance is attached, therefore, to the remarks and comments made on them by the high English authorities before named. As a further security for accuracy, after this work had been completed as far as the existing means enabled him in 1823, the author had a few copies printed and transmitted to his learned friends in different parts of India for their examination, with an earnest request to be favoured with their criticisms before it was offered to the world. Although, in reply to this call, no return was made from Bengal, and only one from Bombay, the delay of two years is thought well repaid by the valuable suggestions since received, especially from Madras, and the time afforded for revision. That there is still, however, abundant room for improvement may be admitted, without throwing any discredit on the author, who has advanced without a leader in a tract so arduous. Without attempting to follow him, we shall confine ourselves at present to a few remarks on certain parts of the work, which have particularly excited our attention on a hasty perusal.

On the much agitated question of the right of property in the soil, the author is clear, that by the antient Hindoo law it vests in the people; as with the Hindoos, who were an agricultural rather than a commercial or manufacturing people, this species of property was looked upon as most peculiarly important. "It is with them the fund that is principally looked to for the maintenance of families, and to which, in different provinces, and under successive despotisms, they are recorded to have clung to the last, as long as the exactions of power left them (wherever they did leave) any thing that could be called a proprietor's share." But in the Bengal provinces, where the Mohammedan despotism had been long established, the property of the people in the soil is considered to have been entirely obliterated, and pundits, too, found authority in the shasters for this cruel destruction of natural right. As usual, in the words of the poet, when evil was meditated,

Holy men gave scripture for the deed.

In the Madras provinces, however, where the Mohammedan power had been less rooted and general, the private right of property in the soil survived to our times. "That it existed by the Hindoo law," says the author, "as once in force, is now (it is believed) no longer



doubted;" a form of expression, however, more calculated to create doubts than remove them. He afterwards admits, that the principle which seems to pervade the Hindoo law is, that "all property is held in trust, not for the exigencies of the state merely, but for those of a man's family; insomuch, that proprietary right cannot be said to be inherent in a Hindoo but with considerable limitation and exception." With such a qualification, his doctrine of property will probably meet with few objectors.

We have looked earnestly into the chapter on widows, to see if it was not (as we have hitherto believed) the state of the laws which contributed to drive so many of these unfortunate persons to their sad end on the funeral pile. The author, with too strong an adherence to that which is established, has evidently disguised as much as possible to his own mind the full extent of their infelicity. He has actually persuaded himself into a belief that they are not so very unfortunately situated as has been supposed. He tells us that the widow succeeds to her husband in default of male issue; that in any case she is entitled to a maintenance from the property of her husband; and has quoted many authorities to show that she is entitled to share with her sons. The reverse of this flattering picture is, that among a people where, to have male children, either naturally or by adoption, is considered a religious duty, the widow can seldom be heir to her husband. In all other cases, the share to which she is entitled in his property is not fixed but *discretionary*. (Vol. i. p. 231, Vol. ii. p. 374.) She is only, in fact, to have the bare means of keeping in life. Even should she possess property it is not lawful for her to use it. "She is expected to live in the practice of austerities with extinguished passions, foregoing every thing like show in dress and luxury in food." At the same time, she is interdicted from marrying again to have the protection and support of another husband, although the first, (as it often happens,) from the custom of betrothing children in their childhood, may have died previous to their union, while she was a child. Even in that case, unless she preserve herself from incontinence or second nuptials, she is deprived not only of support from the family, but of her own personal property called *streedhana*. One case, indeed, is mentioned, in which some pundits at Poona had permitted a virgin widow to marry again. A law to encourage this, as well as to permit the re-entrance of all widows into the married state, and to assign a fixed rate of provision for them from the family property, is of much importance in the abolition of the practice of female sacrifice. Such interference in their behalf is the more necessary, as it has been proved, in a late work of Rammohun Roy, which is quoted by the author, that the modern pundits are guilty of encouraging new encroachments of the rights of widows unknown to the antient Hindoo law.

In proposing a "reform" (odious as the word is to many) of so great an evil, it may be instructive to notice how easily the present rulers of India can make innovations of a more equivocal description. In the chapter "on the testamentary power," after stating that the

Hindoo law knows no such instrument as a will, nor any power in the owner of property so to dispose of it, the author says, (vol. i. p. 254.)

That we possess it, can be no plea for our sanctioning it in *them*; the less, that, in the extent in which it is allowed to us, it has been disapproved by the author of the Commentaries; who, recognizing the claim of children on the property of their parent, observes, that "it had not been amiss if he had been bound to leave them at the least a necessary subsistence." Such being the indisputable Hindu law, as in force to the southward, and the Courts at our Presidencies having been, in all time, in matters of inheritance, sworn to administer justice to the Native according to *his own*, in contradistinction to *ours*, it may be difficult, at this day, to account satisfactorily, and with credit to the first innovators, for the principle upon which, within those limits, so great, and, it may be added, so pernicious an anomaly, as a Hindu will, was originally sustained. With respect to Madras, beginning, as it did, in the Mayor's Court, but too much reason exists for apprehending that it originated in motives not of the most honourable nature; being a device, by means of which *Native* property, to a great amount, became subject at the time, and long after, to European management. So unseemly a period, indeed, has passed away; having been succeeded by a purity, not only in the exercise of government, but in the administration of justice also, upon which it is consoling to reflect. The practice, however, subsists; and being, with reference to the individuals concerned, essentially vicious, it remains open to examination; and one thing seems plain, that, in affirming it, Courts must have a resting-place somewhere. Neither in the English, nor in the Hindu law, can they find any. The latter, as in force to the southward, repudiates every idea of the kind, in the form and extent to which it has been attempted to carry it; and, for the English, it is excluded by our charters, wherever the *inheritance of the Native* is concerned. Can then the right of a Hindu to dispose of his property by will at Madras be referred to *custom*? *Custom* is a branch of Hindu, as it is of our own law. "Immemorial custom (says Menu) is transcendent law." But, how does he define it?—pretty much as my Lord Coke would define it, by "good usages, long established." And what are *good usages* for this purpose?—"practices not inconsistent with the legal customs of the country." Can the practice in question be considered, for the Hindus, as a *good usage long established*? Originating in corruption, its establishment is as yesterday; and it violates their most important institutions, as well as our own charters. Should it nevertheless be contended, that, within the limits of the King's Courts at Madras, the Hindu must now acquiesce in the exercise of the power in question, bound by the practice that has obtained, the difficulty will be to define it;—to declare the extent of the obligation, and to settle by what law the details of such power are to be governed.

To suppose, then, the case of a will by a Hindu, setting aside the legal heirs, and every other claimant on the property of the testator, in favour of some artful Brahmin, possessing and exercising an *influence* over him, in his dying moments, sufficient to induce him to *sign* such an instrument, and yet not sufficient, according to the cases in Westminster Hall, liable to be cited on such an occasion, to warrant the Court in rejecting it. The Hindu law contemplates the possibility of so monstrous an alienation, by deed to take effect in the lifetime of the maker; denouncing him as *insane*, and declaring it null upon that ground; like the reasoning of the civil law in the case of an in-officious testament. As the attempt, therefore, by a Hindu, would be one which his own law, as in force to the southward, would not

tolerate for a moment, the best course would be to set such a will, if offered in judgment, entirely aside; as would probably be done even at Bengal, where the testamentary power is established.

It has been established there, but on authorities extremely suspicious. The leading precedent referred to, is a case decided in the Supreme Court at Calcutta, in 1789, with the concurring voice of Sir William Jones and Sir Robert Chambers. The ground of decision was the simple affirmation of the pundits of the court, that the will was valid according to the shaster. "Now," adds our author, "the shaster knows no such instrument as a will." Nothing, therefore, is more probable than that these pundits were merely bribed by one of the parties to give a decision in his favour. How great an inlet for every species of fraud and injustice this testamentary power is in India, can only be estimated by those who have seen the quantity of false and perjured evidence adduced in our courts in support of forged and fictitious wills, by which property to an immense amount is continually liable to be transferred from its rightful owners. So great is the difficulty of ascertaining the fact, whether a Hindoo will be authentic or not, that the Judges are often compelled to throw aside entirely the testimony of the witnesses and decide by mere probability. The crafty race of Brahmins and pundits are deeply interested in supporting a state of things which affords so much scope for their intrigues, with regard to the succession and decision of the property of families. This is so inviting a subject for priestly interference, that, even in Great Britain, notwithstanding the complete downfall of the Church of Rome for many generations, testamentary matters have not yet escaped from the decaying jurisdiction of the ecclesiastical courts.

A similar corruption of the genuine principles of Hindoo law has taken place on the subject of deeds of gift. According to these principles, the father or head of a family, being merely a sort of trustee for, or joint proprietor with the rest, could not make an unequal partition of the estate not sanctioned by law. To the extent of his own share, however, he could make a gift, *inter vivos*; but not even bequeath that by will. The pundits of Bengal have, however, invented a doctrine, that what is, according to the shaster, immoral or culpable in the father to do, is yet to be held legal and valid when done. "The fact," say they, "is not to be done away by a hundred texts." Thus they render the law of non-effect by their traditions. A deed of gift, by which the ancestral property was unequally distributed, has been held valid by the solemn decision of the Sudder Dewanney Adawlut: and, in numerous instances, wills of Hindoos, disposing of the ancestral as well as self-acquired property, according to the testator's pleasure, have been allowed by the Supreme Court. The latter corruption they have deduced from the former, in a manner which shows how much more lawyers are guided by fanciful analogies than by reason. As the person might give away the property by gift, a will, say they, is only a deed of gift, to take place after the testator's death! Now, originally, the family estate was protected from dilapidation by two powerful checks on the joint possessor. First, he

could only give away his own just share of it, which there was little temptation for him to do. Secondly, he could only do so by gift during his life, against which his own self-interest was a sufficient restraint. But what check is there on a person who is permitted to assign away from his family-property not his own, and even after he shall have ceased to be in a condition to enjoy it? But the sages of the law decide that these two things, so widely different, are of the same nature, and that the same law which permits the one must be held to justify the other. The British rulers who have sanctioned these innovations, so completely destructive of the whole frame of Hindoo society, which is founded on the preservation of families in a kind of patriarchal union and continuity, can have no excuse for withholding their protection from the unfortunate widows on the ground of scrupulously abstaining from interference with the Native customs and usages.

We shall probably return to this valuable work when we have an opportunity of comparing it with that of Sir Francis Macnaghten, of which we hope the English public will shortly be in possession.

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THE BRIDAL DIRGE.<sup>1</sup>

THE bride is dead ! the bride is dead !  
Cold, and frail, and fair she lieth :  
Wrapped is she in sullen lead,—  
And a flower is at her head,—  
And the breeze above her sigheth,  
Thorough night and thorough day,  
“ Fled away !—fled away ! ”

Once—but what can that avail—  
Once, she wore within her bosom  
Pity, which did never fail,  
A hue that dash'd the lily pale ;  
And upon her cheek a blossom  
Such as yet was never known :—  
All is past and overthrown !

Mourn ! the sweetest bride is dead,  
And her knight is sick with sorrow,  
That her bloom is lapp'd in lead :  
Yet he hopeth, fancy-fed,  
He may kiss his love to-morrow ;  
But the breezes—what say they ?  
“ Fled away !—fled away ! ”

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<sup>1</sup> From the ‘ *Literary Souvenir*. ’

LETTER FROM A GENTLEMAN IN SEARCH OF AN ESTATE  
IN VAN DIEMEN'S LAND.

Launceston, Port Dalrymple.

WE proceeded from George Town, up the beautiful river Tamar, to Launceston, a distance of thirty-five or forty miles. I left the vessel at George Town for two reasons: 1st, that, uncertain whether I should remain here or not, I thought it best to keep her in a situation from whence I could most readily go to sea again; and 2d, that as the population of George Town consists entirely of the worst convicts, against whom my people were guarded, and with whom they would not associate, I considered them safer from evil communication there, than they would have been here, where a large body of emancipated, or half-emancipated convicts, constitute a society found very pernicious in its effects upon ignorant minds.

The land on the banks of this river being of inferior quality to that of the interior, and possessing very few streams, and those neither large nor constant, of fresh water, (the river itself is salt up to Launceston, except during heavy rains,) very small portions of it indeed have been settled. It swells, however, into beautiful hills very thickly timbered, which, when they come, as they shortly will, to be cleared and cultivated, will present a scene of imposing beauty. Ships of large burthen, however, cannot proceed above twelve or fifteen miles beyond George Town. Those under 200 tons, or of a draft of ten feet water, can come to Launceston. Here another work of consecration, upon a burial-ground, detained us a day, and enabled me to become acquainted with all the principal people of this part of the country. We accordingly, the next day, proceeded on our journey, breakfasted with one magistrate eight miles from hence, dined with another ten miles further, and rode, in the afternoon, another twelve miles to a friend's residence, where we stopped. In this day's journey we passed through a considerable tract of very fine country, much of it of remarkable beauty. Proceeding in the morning, after an early breakfast, we dined at the estate of a gentleman on the Macquarrie River; and from thence rode to the hut of the Government stock-keeper, also on the Macquarrie River, where we passed the night. Here a bridge has recently been built across the river, and a township is reserved, to be called Ross. The Government herd consists of near 500 head of cattle, of very indifferent quality, with pasture on a very extensive tract reserved for that use. The next day we rode over a very fine country, but badly watered in some parts, including salt-pan plains, where much salt is collected in summer, to Jericho, where, on the banks of the Jordan, we were lodged and entertained by a gentleman of good manners, attainments, and property. The next day, being Sunday, was passed here; and the felons of the vicinity were collected in the roofless apartment of an unfinished house, to be taught practical virtue by

means of a long *doctrinal* sermon. On Monday, we pursued a route across the country to the river Clyde, calling on a gentleman who has brought a good property and several servants from Scotland. He was an officer in the Indian army. The estates occupied by this gentleman contain much good land, but the elevation is considerable, and the country proportionably cold, as is the case with Jericho and the upper part of the Macquarrie River, where we had passed the former nights. From the Clyde, which lies considerably to the westward of the main road through the island, we now again proceeded to the eastward, crossing that road, and travelling to an estate at the Coal River, called Orielton, where we took some refreshment; and from thence to the district called Pittwater, where we were received and entertained by a magistrate. Here we remained two nights, the intervening day having been consumed in visiting a new township, most beautifully and very judiciously situated, called Sorell Town, where a burial-ground was to be consecrated, the site of which appeared so ill judged, being fixed precisely where the market-place ought to be, that, after some consultation, the Bishop wisely determined to defer the ceremony until he could find a better situation; when he succeeded in hitting upon a spot, very well adapted for both church and cemetery, a little out of the town, which it was determined he should recommend for the purpose to the Lieutenant-Governor, and which, a week afterwards, he accordingly set apart, by the mystic ceremony, from profane uses.

The district of Pittwater contains a larger proportion of fine land than any I have seen in the island, but it is all occupied, and is too far to the southward for the best climate. From hence, after breakfast, we rode to Kangaroo Point, from whence a ferry of about two miles carried us to Hobart Town to dinner.

In the course of this journey I saw the greater part of the country between the two parallel ranges of mountains, which intersect it from north to south, and which includes all that is as yet known of the island. I have not been disappointed in it. It abounds more with picturesque beauty than any country of the same extent that I have seen. The statements of Evans and Jeffries, that it resembles more an English nobleman's park than any other disposition of country, are, as respects a very large portion of it, fully borne out; but not so their extravagant statement of its fertility. It abounds with good, sound, profitable land; but the number of spots of extraordinary fertility is much smaller than those statements would lead their readers to believe. In its geological formation it is surprisingly uniform,—sand upon clay resting upon a rock, which, a mineralogist here tells me, is primitive, but which I must be better acquainted with before I admit it to be so. Here and there some freestone shows itself; and they talk of the existence of limestone, which I have not yet seen, except some specimens from remote situations, consisting of fossil shells of extinct species, connected together by a cement apparently argillaceous. Near Hobart Town, how-

ever, limestone does exist, and is made use of; elsewhere, shell-lime, from the sea-shore, is all that has yet been made use of. The existence of limestone, however, in other situations, is so strongly asserted, that I hope to find it true. The country undulates beautifully every where; and the various degrees of fertility arise from the greater or less deposits of water through a series of ages, governed by the form of the surface. In the northern half of the island, from Launceston to its centre, the hills slope gently and elegantly, the country is easy both to the traveller and agriculturist, and there is a larger proportion of *good* land. On the southern side of the centre it is broken into steep hills, troublesome to the traveller, and many of them unfit for the plough, though the proportion of *extremely fertile* land in the bottoms may be greater. On the whole, the northern side of the country, therefore, is the most desirable in respect of soil and form, and decidedly so in respect of climate; but the whole is remarkably beautiful, and every where capable of affording a rich reward to industry, and supporting a numerous population. It has, I believe, been represented as a dry country. It abounds with rivers, which, though not large, are adequate to all the purposes of a full population, except those of navigation; and I am satisfied, from the form and structure of the country, that wells will every where afford a sufficient supply where rivers do not present themselves.

I had now satisfied myself, from numerous inquiries, as well as from a short experience, and an attentive view of the general appearance of the country and its productions, of the mildness and salubrity of the climate; and had found the opinion I had formed of the character of the soil and its capabilities, to coincide entirely with that of Mr. Marsden, who unites to his professional character a rather unusual share of moral integrity, and the reputation of being an able and judicious, as he is an experienced and extensive agriculturist. He told me that this country, which he had not before seen, bore a remarkable resemblance to the boasted regions of Bathurst, and, though not exempted from a portion of the jealousy which is felt towards this island among the inhabitants of New South Wales, and very desirous that I should visit that country, could not but admit, that this island was less warm in summer, and less cold in winter, than those elevated and more northern regions; and that a situation within twenty miles of a sea-port, must possess some advantages over one 150 miles from such a market, with an intervening range of almost impassable mountains. These considerations, with the knowledge that the cow pasture were already, for the greater part, cut up into grants; that no land of good quality, to the eastward of the mountains, remained unoccupied in New South Wales, except considerably to the northward of Port Jackson, and consequently in a warmer climate; and that, besides, society there is divided into parties, constantly persecuting, calumniating, and injuring each other, between which it would be difficult to steer a middle course, and from their respective *merits* and subdivisions equally difficult to

choose,—these considerations had determined me to settle here, if a tract of land of adequate extent and quality could be found. But large tracts of good land, in the most advantageous situations in that part of the country already explored, have become scarce. The Government *run*, (a tract of country not granted, but depastured by a man's herds or flocks, is here called his *run*, his cattle-run, or his sheep-run,) the tract I have already mentioned as having been reserved for the pasturage of the Government herd, occurred to him as likely to offer one of the best situations to be found; and he pointed out a part of it, consisting of a triangular piece, at the confluence of the Macquarie and Elizabeth Rivers, which constitute the boundaries on two of its sides, the high-road from Launceston to Hobart Town forming its third side, and which contains about the area we wanted, which, he said, if I approved, he would let me have. Other tracts were pointed out by the Surveyor-General here, and one in particular, which he thought I should find desirable, situated on the Lake River.

After a week's stay at Hobart Town, I left it to visit the first of these spots. On our way, we looked over the Government run, which, though possessing great advantages from its two river-boundaries, and consequent facility of enclosure, and though admirably adapted for sheep-pasture, did not present a soil of such fertility as I had seen in other places; while its situation in the centre of the island rendered it remote from both sea-ports, and its elevation, though not great, appeared rather likely to prejudice its climate. Thence we travelled to the country which had been pointed out by the Surveyor-General, where I found a tract of great beauty, sufficient extent, and possessing, I think, the largest proportion of good land that I have seen on any tract I have visited. Indeed there is no bad land, that I have yet discovered, about it; and I have since found the neighbouring farmer, who has been many years on his farm, and has become wealthy, whose cattle and sheep have always depastured this tract, has had the reputation of producing the finest cattle and sheep in the island. It extends about five miles along the bank of the Lake River, a deep and clear stream, crosses a fine creek, or small river, running in an oblique direction with the Lake River, and distant from it about three miles, a large portion of which it will include, and will terminate at a short distance from it, a quarter or half a mile on the other side. That portion of the land which adjoins the Lake River, consists of a fine marsh, sound and dry, except when exposed to occasional inundations from the winter rains, and capable of feeding one or two thousand head of cattle. The upland is dry, sound, and fertile, presenting excellent pasture for sheep and cattle, every where adapted for the plough, and covered with the most beautiful class of trees which grow on the island, principally a fine mimosa, and the black-wood, which latter is good timber for furniture, but of which I do not yet know the genus. This timber is in exactly sufficient quantity to give shade and beauty without prejudicing the growth of the grass, and gives to the whole



tract the appearance of a beautiful park of gently undulating surfaces sufficiently above the waters, but not high. One of the boundary-lines will skirt an extensive forest of land, too poor for occupation for many years to come, abounding with the best timber in the island for building purposes, and which will constitute a future depôt for game for many years, while some ponds and marshes, into which the creek occasionally expands itself, abound with wild-ducks all the year, and black swans, I am told, in winter, at which time the emu, now rare, descends from the neighbouring mountains. These mountains, from the foot of which the tract is distant six or eight miles, constitute the great western range which passes from north to south through the island, and constitute a fine feature in the western direction; while to the eastward, the parallel range presents itself to the eye, at the distance, perhaps, of thirty miles, with an intervening landscape of great beauty. It was unnecessary to travel further; I therefore decided at once.

Until I set forward for my land, I make this my residence. I should, however, have gone upon it in the course of the past week, but for some very heavy rains which have set in, and which, besides making it rather disagreeable to be without immediate shelter, have so swollen the river I must pass, and over which no bridge is yet thrown, that carts cannot be got across. I hope, however, a few days will remove that difficulty. Another difficulty exists in the rarity of horses, and the high price of draft bullocks. A horse fit for immediate use I have not yet been able to get hold of; and for a yoke or two of draft-oxen I must pay 20*l.* per head. If I could afford to wait a little, I could, by degrees, pick them up cheaper, having bought a very fine one at a sale, a day or two ago, for twelve guineas. A fat cow I bought at the same time, with a bull-calf of a year old, for 10*l.* The cow I intended to kill for beef, but they all insist upon it she is to calve within a month; and being a good milker, which is a great recommendation, (for the cows, in general, are so wild there is no milking them,) I have determined to keep her: so I must kill the calf, I suppose; for a steer I bought at the same sale, jointly with a doctor here, for beef also, took the liberty of leaping out of the pen during the sale, and has no more been heard of,—a great loss, for he was good beef; and the supply of meat here, as well as of bread, is so irregular, that, unless we can keep a stock on hand, one stands a chance of being starved. Indeed, without the assistance of the Commissary, who has been most friendly and accommodating, I could not have fed my people at all at George Town, or even here. There is not a butcher in the place, and but one baker, who frequently cannot bake for want of flour, and when he does, sells a four-pound loaf for a shilling, (till within these few days at 1*s.* 4*d.*.) though wheat is in the greatest abundance at a dollar a bushel, and immense quantities are shipping to Sydney. Such is the scarcity of mills, and the miserable quality of the few that exist, that almost every person grinds his own corn in a hand-mill, even in this town; and the rations served out by Government to the con-

victs are in wheat, which they have to grind or mess up for themselves. Half the wheat used here is wasted from this cause, and the bran carries with it half the flour. This, after sixteen years of occupation, where 500 convicts have been constantly in Government employ: I mean here at George Town.

The encouragement mechanics would meet with here is boundless. Any carpenter, smith, bricklayer, mason, or cabinet-maker, who could raise money enough to pay for his passage and that of his family to this island, though he should arrive here without a shilling, might immediately live in affluence, compared with his present state in England, and need not wait a day after landing for work. If good characters, so much the better; but if bad, they would be better than none, and success and easy circumstances might mend them. They should have wives, if possible. The expense of a wife and family here is nothing to a mechanic; they steady a man better than two sermons a-day, and are not to be obtained here. Women are more wanted than any thing. With them, as with the others, I would say, good ones are best; but *any* better than none. If a few hundred young women, without hopes in England, would have enterprise enough to come here, they would get husbands directly, and their condition would be incalculably mended. Service and subsistence they would instantly find; and the men would not be long in finding them. Among the numerous wants of this island, the want of women is the most *urgent* and the most *pernicious*. They would be infinitely useful in correcting the habits of drunkenness, and the idleness, wastefulness, and villainy of the lower class of settlers.

The mechanics should, if a vessel is to be met with for this port, come here, for it is here they are most wanted. If they cannot come here direct, they should go to Hobart Town, and, if destitute of money, work there a short time to raise the means of travelling here. A portion of the women should come here, the larger portion to Hobart Town. Fifty would find service and good subsistence here at once, and husbands presently.

#### ON THE TREATMENT OF THE SLAUGHTERED SEPOYS AT BARRACKPOOR.

*To the Editor of the Oriental Herald.*

SIR,

Dec. 28, 1825.

IN the 'Morning Herald' newspaper of this day, I observe a communication, dated the 17th of June, from Camp, Promé, in the kingdom of *Ana*. "Ava, I presume, is here intended, though *Ana*, it must be confessed, is not inappropriately substituted in a narrative; detailing, with circumstantial minuteness, the events of a period which can only be fitly recorded under the title of "*Amherst Ana*."

The object, however, of the writer, is not to be mistaken. He

labours to justify the bloody measures resorted to by the Bengal Government, in quelling a spirit of *discontent* which had manifested itself in one of the Native corps of that Presidency. I have not now the newspaper before me, but, if my memory serves, it is asserted, (as a ground to warrant the instant infliction of capital punishment,) that "*the sepoys refused to go on service.*" Little weight, Sir, I am aware, ought to attach to the assertion of an anonymous correspondent; but the real facts of the case cannot be much longer withheld from the public; and I feel a confident assurance that such *unlimited* accusation will not be substantiated. That those slaughtered human beings did *complain of grievances*, is not to be denied; that their demands were not considered altogether *unreasonable*, the subsequent conduct of the Government goes to prove; that their complaints did reach the ears of those competent to afford redress, is certain; but it is equally certain that they were unattended to, until most of those who had offered them were numbered with the dead.

Again, it is, I think, stated by this writer, that all the *inhabitants of Barrackpore expected nothing but assassination* at the hands of those "rebellious spirits." Now, from conversations which I have had with persons who were residing at that station at the period referred to, I am firmly of opinion that no such apprehension could have been entertained by a single individual at the place. As to "*a lady having armed herself with pistols through fear,*" it may be so; but the story is not sufficiently credible to obtain *general belief*. It is, in substance, further represented, (with a view, no doubt, of gaining credit,) that these ill-fated soldiers were drawn up in line, and had assumed an appearance of self-defence, &c., &c. Yet what is the best authenticated report? Why, that the unhappy creatures were mowed down indiscriminately, unresisting and defenceless, by two of his Majesty's regiments of infantry, *assisted by* the Honourable Company's artillery, (*with cannon,*) and a detachment of horse belonging to the Right Honourable the Governor-General's Body Guard! I believe it will not be affirmed that an instance of resistance was offered on the part of the *mutineers*, (*in decency so termed,*) or that a single loaded musket was found among their ranks. True it is, that two of the Governor's cavalry lost their lives on that memorable occasion; but, let it be known, these men were shot, *not by the enemy*, but by some of their own coadjutors. I did indeed hear it mentioned, that the Commander-in-Chief of all the forces on that day, had nigh met his death from a similar *accident or cause*.

Let me, in conclusion, observe, (lest motives of clemency be falsely imputed,) that the remission of the sentence on those sepoys who were condemned, for various terms of years, to labour in irons on the roads, was an act of the authorities *in this country*. The Indian Government fearing, perhaps, that their decrees might be *in toto* reversed, took the precaution of *hanging several* of the victims, over and above the number whom they could conveniently shoot.

S. L.

## LABOURS OF THE ASIATIC SOCIETY OF PARIS.

*Sixth Article.*

THE contributors to the department of Arabic, or more properly, **MUSULMAN NUMISMATICS**, are, M. de Sacy, M. Fræhn, conservator of the Mohammedan medals in the cabinet of St. Petersburg, M. Münter, Bishop of Zealand, one of the most able and active antiquarians of the day, and M. Reinaud. The papers of the Baron de Sacy are rather directed to the analysis and illustration of the labours of M. Fræhn, than to the production of new facts or observations, although the perseverance and sagacity which he has manifested in deciphering the coins of the Sassanide dynasty of Persia, which had been almost given up as inexplicable, prove him to be as fully competent to unravel the intricacies of this perplexing branch of science, as he has before shown himself to smooth the difficulties which obstruct the progress of the student of Arabic and Persian literature. His letter to the editors on the labours of M. Fræhn, consists principally of an analysis of a pamphlet, in the nature of a preliminary report, published by order of the Academy of St. Petersburg, of whose extensive cabinet M. Fræhn has undertaken to give a particular description. At the period when M. Fræhn took charge of this collection, it consisted of nearly 20,000 pieces, thrown together as chance or caprice might dictate; but this confused and almost overwhelming mass of materials is now, by means of his persevering exertions, systematically and chronologically classed, in the order of the various dynasties and princes to whom they relate. In the year 1821, the entire number of distinct coins which it contained amounted to about 2500, exclusive of nearly 2000 duplicates, which M. Fræhn had thought it expedient to preserve. The whole forms twenty-eight classes, the series commencing with the Asiatic caliphs of the house of Ommiah, the Abbassides, the Omniade caliphs of Spain, &c., and terminating with the Ottoman sultans and the shereefs of Morocco. Two supplementary classes contain those pieces which have not yet been definitively ascertained, and the coins of the Christian princes with Arabic legends.

Each of these classes forms the subject of a separate chapter in the Report, in which reference is briefly made to its most interesting contents. M. de Sacy expresses his surprise at the small number of coins belonging to the Omniade caliphs of Bagdad, the most antient of which bears date in the year of the Hejira 95, at least a dozen of these coins of earlier date being known to exist. He quotes, however, an extract of a letter from M. Fræhn, giving an account of a very extensive addition made to the collection, by the acquisition of more than 300 of the most antient Cufic coins, all new to the Academy, and the greater number unique. This will, of course, entirely change the disposition of his first three classes. The classes which are

most remarkable for the number and importance of their contents, are those of the Samanian dynasty of Persia, the khans of Turkestan, and the descendants of Jenghiz-Khan, of the family of Djoudji. The series of Samanian coins, in silver and bronze, fills up the entire period of that dynasty, from the year 280 to the year 395 of the Hejira, with the interval only of a few years. More than eighty pieces, all in copper, belong to the khans of Turkestan, of whose history the accounts supplied by Musulman authors are merely incidental, and very imperfect. This circumstance, at the same time that it renders their classification more difficult, adds incalculably to their value. But the richest class of all contains the coins of the dynasty of Djoudji, which reigned for more than two centuries over a vast portion of the empire of Jenghiz-Khan, to the N.E. of the Caspian, and extending as far as the Dnieper. The Museum originally possessed about 14,000 pieces belonging to this class; but since they have been arranged, and the duplicates laid aside, the series amounts to 900, commencing with the year 673, and finishing in 822. To these, M. Fræhn has added a table of the princes by whom, of the dates when, and of the places where, they were coined. The report also contains some sensible remarks on the advantages which history and geography may derive from the study of the Musulman medals; on the means to be employed in order to rescue from destruction the vast number of coins which are daily found in various parts of the Russian empire, but which, the discoverer having no legal property in them, for the most part find their way immediately into the crucible; and finally, on a new plan for the study of the Oriental languages in Russia.

A letter from M. Fræhn, dated from St. Petersburg, January 20, 1824, gives an account of the progress of the cabinet under his superintendence during the preceding year. The chief among the new acquisitions was a present from M. Masarowich, containing many medals and coins of extreme rarity, and in particular an entirely new class of coins, all of gold, belonging to the Seldjoukian princes of Iran, which are perfectly unique. Another addition to the treasures of the Academy consists of a small collection found at Wendan, near Doipat, containing, among other rarities, three coins of a Curdish dynasty previously unknown. M. Fræhn complains that his agent at Moscow had been unable to procure for him, at the fair of Nishni-Novogorod, more than 500 medals, and attributes this scarcity to the war between the Khiwan tribes and the Kirghees, in consequence of which the khan of Bucharia had refused his subjects the necessary permission, without which only eight Bucharians had ventured to make their appearance there. To show the extent of the additions made to the collection since the publication of his Preliminary Report, M. Fræhn states, that at that period it contained only eleven coins of the Ommiades of Bagdad; whereas, at the date of the present letter, the number of these pieces amounted to sixty; the ninety coins of the Abbasside caliphs and their lieutenants had been increased to three hundred and thirty; and the three of the Ommiade caliphs of Spain

to twenty-six. This vast augmentation of his materials, M. Fræhn observes, cannot fail to derange his preparations for the publication of his descriptive work, which, however, he hopes soon to complete; after which he is engaged to publish the cabinet of M. Fuchs, and then that of M. Rühl, of Berlin.

We have next to notice a paper by M. de Sacy, on the coins of the caliphs before the year 75 of the Hejira, being an examination of a Dissertation on that subject, published by M. Fræhn in the 'Annals of the Courland Society of Literature and the Arts.' Makrizi, in his 'Treatise on Musulman Coins,' states, that from the year of the Hejira 18, the Caliph Omar coined dirrems, or pieces of silver, of the same type and form with those of the Chosroes, on some of which his name was inscribed, and on others one or more of the usual Arabic formulæ; that similar pieces were coined by the Caliph Othman, and by Moawiah, who also coined dinars, or pieces of gold, on which he was represented girt with a sword; and lastly, that the Caliph Abd-al-Melek, to whom the earliest purely Musulman coins (which are of the year 76 of the Hejira) are usually attributed, had, previous to that time, coined pieces of gold and silver with his figure on them; which latter circumstance gave great scandal to the more rigid among the true believers. These facts, asserted by Makrizi, have been rejected by almost all the writers on Musulman numismatics, on the supposed contradictory testimony of other Arabic writers, who state that it was not till the year 76 that pieces of gold and silver, with Arabic legends, were first coined, the gold coins having previously borne Greek, and the silver, Persian inscriptions. This testimony is not, however, by any means conclusive; for although these authors certainly make no mention of gold or silver pieces as coined by the caliphs previous to the year 76, with types almost entirely borrowed from the Greek and Persian coins, their silence cannot invalidate the positive testimony of Makrizi, an author in other respects deserving of credit; and we are left to suppose that, in fixing that period, they spoke only of coins purely Musulman, and having nothing in common with those of the infidels. A more complete answer to this objection is, however, found in the fact, that a considerable number of pieces coined by the caliphs anterior to the year 76, are still extant. The Count Castiglione has published, in his 'Catalogue of the Cufic Coins of the Milanese Cabinet,' several medals, which he attributes, and which M. Fræhn unites with him in attributing, to the Caliph Abd-al-Melek, whose name is distinctly legible, and whose figure is also stamped on them. But on this appropriation of the medals in question, Mr. Marsden, in his late valuable publication, the 'Numismata Orientalia Illustrata,' has thrown considerable doubt. M. de Sacy, too, is of opinion that there exist strong grounds for suspicion; but after maturely weighing the various objections, he feels satisfied that the name of Abd-al-Melek and his title of Commander of the Faithful, are so clearly legible, that it is impossible to resist the evidence which they offer.

These coins, however, being all of copper, prove nothing directly in

favour of Makrizi, who only mentions pieces of gold and silver. The more important circumstance adduced by M. Fræhn in his justification, consists in the existence of silver pieces, of types analogous to those of the Sassanidan coins, but accompanied by Arabic inscriptions. This fact was also first noticed by Count Castiglione, and subsequently, in a cursory manner, by M. Reinaud; and preceding writers, among whom we may reckon M. de Sacy himself, having usually attempted to solve the difficulty by supposing that these coins were the production of some of the descendants of the Sassanidan race, who, after the destruction of the empire of the Chosroes by the Arabs, had contrived to maintain their independence and their religion in some remote provinces of difficult access. In his Dissertation, M. Fræhn describes nine different coins, the types of which are Sassanidan, but each of which bears an Arabic proper name, as Omar or Saïd, and a short Arabic formula. The most remarkable of these, of which an engraving is given, is perfectly novel; it was coined, according to M. Fræhn, by Hedjadj, the son of Yousouf, whose name it bears, and who, as we learn from Makrizi, was, in fact, governor of Irak, and coined money of a similar description. M. de Sacy, however, from an examination of the engraving, entertains doubts with respect to some of the letters which form this name, and thinks that the supposed Arabic of this part of the inscription bears a close resemblance to some Sassanidan characters which he has observed on a medal in the Vienna Cabinet, on which there is no other Arabic legend.

In a Supplement to his Dissertation, M. Fræhn gives an account of the acquisition made by him at Moscow, in the year 1822, of a vast quantity of Arabic coins, among which were a considerable number of medals of the Chosroan type, several of which bore Arabic inscriptions. In addition to the nine coins mentioned in his Dissertation, he here found eight new pieces, strongly confirmatory of his theory, of each of which, as well as of those previously described, he gives the Arabic inscriptions. They contain the names of Omar, Djorair, Saïd, Abd-allah, Hani, Mokabil, or Mokatil, Boschr,(?) and Al Hedjadj ben Yousouf; the latter thrice repeated; the remainder have only the common Musulman formulæ of *Allah be praised*, &c. With the exception of that which he believes to be stamped with the name of Boschr, which is in the Göttingen Cabinet, he has all these pieces before him, and guarantees his reading of their legends. As for the doubts expressed by the Baron de Sacy with respect to the characters composing the name of Al Hedjadj, on the medal figured with his Dissertation, he attributes the want of distinctness in those characters to the difficulty of faithfully representing with the graver the *traits* of a coin in a bad state of preservation, but declares that he had convinced himself of the accuracy of his interpretation by long and minute examination. The inscription, however, on a second medal of the same type, procured at Moscow, is perfectly legible, and combined with the two other coins of Al Hedjadj, which are equally well preserved, can leave no doubt upon the subject. M. Fræhn next proceeds to remark on the accordance between some of these medals and

those described by Makrizi ; but he appears to despair of ascertaining who were the individuals whose names appear upon others, and whom he considers to have been governors of some of the petty Persian provinces, or perhaps only directors of the mint. He concludes by the citation and comparison of a number of passages from Arab authors, in which they speak of the first coinage of Musulman money ; from which it appears that most of them leave an opening for the supposition that the caliphs had previously coined pieces with Greek and Persian inscriptions, which is so positively asserted by Makrizi, and so strenuously maintained by M. Fræhn.

The communication of M. Münter consists merely of an extract of a letter to M. de Sacy, giving an account of some of the coins in his possession, and stating, among other things, that he has nine medals of the Chosroan type, with Arabic inscriptions, two of which bear very clearly the name of Omar ; all of them having a legend in Pehlvi characters, differing more or less from those already known.

There still remains to be noticed a paper, perhaps the most interesting in this department, entitled 'General Observations on Musulman figured Medals,' by M. Reinaud, in which that zealous Orientalist endeavours to account for the origin of the figures of men, animals, monsters, &c., so common on certain medals of the East. The comparison of some of these coins with the cast of a mirror, figured in the second volume of the 'Mines d'Orient,' exhibiting, among other representations, the twelve signs of the zodiac, proved the perfect similarity of many of the figures on the coins to those of the mirror ; but both differed essentially from our astronomical representations of the same signs, which are known to have been also in use among the Arabs in very early times. An examination of their astronomical works only served to confirm this distinction ; but M. Reinaud was subsequently induced to turn to their astrological collections, where he found the very object of his search. An astrological treatise in the Royal Library, translated from Arabic into Turkish, was peculiarly serviceable, inasmuch as the figures with which it is illustrated were found to agree exactly both with the medals and the mirror. It is therefore obvious that the astrologers of the East employed representations of the signs of the zodiac, &c., proper to themselves, and that these signs were used in preference by the Mohammedan princes on their coins, &c. ; the Mogul Emperor Jehan Geer being almost the only prince whose coins bear figures purely astronomical. The difference between these two sets of signs consists in the circumstance, that in the former the figures of the planets, represented after the Eastern fashion, are superadded to the latter, each planet being assigned to his own house. Thus in Aries, the Ram (which constitutes the astronomical emblem of the sign) is surmounted by a cavalier, with a helmet on his head, holding in one hand a sword, and in the other a head dropping blood, representing Mars, who is in his exaltation in that sign ; and so on with the rest. The doctrines of the astrologers have at all times exercised an astonishing power over the minds of the princes and people of the East ; and



it is to this belief in the secret influences of the stars that we owe the representations of the signs and planets on their coins and medals. In proof of this, it is only necessary to quote an instance recorded by Abu'lfarage, who relates, that a prince of Asia Minor, of the thirteenth century, named Gaiath-eddin Kai-khosrou, having for his horoscope the sign of the Lion surmounted by the Sun, (meaning, probably, that the Sun, in his exaltation in Leo, was on the ascendant at his birth,) commanded this sign to be stamped upon his coins. These coins, both in silver and bronze, are well known. Countries, too, and cities have their horoscopes: that of Persia, which is also the Lion surmounted by the Sun, is found on a vast number of the coins of that country. The horoscope of Ispahan, according to Chardin, is the sign of the Archer; and that of Cairo is well known to be the planet Mars, to whom, as the "giver of victory," it was dedicated by its founder, the Fatimide Caliph Moezz. "I have willed," says he, in an admonition to his son, "that the foundation of Cairo should commence under the ascendant of Mars, the Kahir (or Conqueror); and it is for this reason that I have named it Al Kahirah (or the Victorious)."

Such being clearly the origin of a considerable number of the figured medals of the East, it remains to seek for that of the coins of the Tartar princes and of modern Persia, which bear the figures of animals not referable to the former class. These animals, according to M. Reinaud, are for the most part the same with those whose names compose the celebrated duodenary cycle, which has been in use from time immemorial in Tartary, whence it has extended into China and Persia. Each year of the cycle is designated by the name of an animal, as the year of the Horse, of the Mouse, of the Serpent, &c.; and these names recur in regular succession at the close of every twelfth year. Some of the Tartar medals, however, bear the figures of animals which are not to be found in the duodenary cycle; and for these M. Reinaud accounts, by supposing that, like the white and the black sheep, the well-known characteristics of two dynasties of the fifteenth century, they were the insignia borne on the standard of the princes who employed them on their coins. This leads to the mention of another curious fact, namely, the use of armorial bearings, or at least of distinctions very analogous, by the Musulman princes of the middle ages. Two very singular passages cited by the author give a colour to this suggestion. The *Sieur de Joinville*, one of the old French chroniclers, states, that the famous Fakreddin bore on his banner the arms of the Emperor Frederic II., because having been employed on an embassy to that prince, he so ingratiated himself with him, that Frederic gave him permission to take his arms. De Joinville adds, that the banner of Fakreddin also bore the arms of the Sultan of Egypt, and those of the Prince of Aleppo. According to the Arab writer, Yafeï, when the city of Antioch was taken from the Christians by the Sultan Bibars, the conqueror permitted one of his emirs to assume the arms of the constable, or commandant of the place, whom he had taken prisoner, in commemoration of his victory.

The Sultan's own banner bore the figure of a lion, which is also found on his coins. M. Reinaud disclaims imputing to the Arabs any knowledge of heraldry: in using the term armorial bearings, he would be understood to mean simply, that at the period of the crusades, the princes and emirs, and probably every chief, had his particular banner, which bore some distinguishing mark, a custom common also to the Greeks and Romans. Such are the outlines of M. Reinaud's brief sketch of his opinions on these points, in many of which he has been anticipated, at least in publication, by M. Fræhn, Count Castiglione, and Mr. Marsden.

Both the papers which treat of subjects connected with the THEOLOGY of the Arabs, are from the pen of M. de Sacy. The first is entitled 'Researches on the Initiation in the Sect of the Ismaelites,' and develops one of the most singular examples of human inconsistency that has ever been invented or imagined. When we can bring ourselves to believe in the absurd ravings of the Abbé Barruel and his associates, and in those abominable mysteries of Jacobinism which they affect to reveal, we shall be one step advanced towards crediting the monstrous tale which is here, we believe for the first time, related in a European tongue. To believe that a body of men, unlimited in numbers, and active in making proselytes, leagued together, under the assumed cloak of religion, for the sole purpose of seducing their fellow-beings, "by tortuous and almost insensible gradations, into an utter depravity of mind," in order that, "by annihilating every religious idea, and sapping all the foundations of morality," they may be induced "to pay a blind obedience to the head of the sect and his delegates," whose express object it is to possess "the means of exciting the people against their sovereigns;" to believe that such a body has existed for nearly a thousand years, during which its real tenets have remained a secret to all the world, and even to those who, being initiated only in its inferior degrees, were not yet deemed worthy to be made acquainted with its ultimate purpose, and yet that they should be so fully known and so accurately delineated by one who is certainly no friendly historian; to believe, finally, that they could have cherished such purposes, political and moral, for so long a series of years, and have effected absolutely nothing,—is a paradox which demands a stretch of credulity utterly beyond our power to attain. As M. de Sacy, however, appears implicitly to have pinned his faith on the credit of the Arab author from whom he has taken his details, we have no choice but to make them known to our readers by as brief an analysis as possible, and to leave them to form their own opinions upon so marvellous a combination of numbers and talent, and consequently power, restrained by no ties human or divine, with so much insignificance, folly, and inconsequence.

The Ismaelites, then, are, or rather they affect to be, of that class of Musulmans, who believe that Ali was the legitimate successor of his father-in-law, Mohammed, and consequently that the predecessors of that caliph were usurpers of his throne. This class, which originated in his lifetime, and are known under the title of Schiites,

maintain that he was endowed with a particle of the divinity; that, consequently, he could not die, but would, at some future period, re-appear upon earth. The Shiites are, however, divided into sects, some of which assert that the Imaumat descended successively upon twelve, while others deny that it was continued beyond seven, of the immediate descendants of Ali. Among the latter are reckoned the Ismaelites, of whom the Karmates, famous for their devastations and sacrileges; the followers of the Fatimite caliphs of Egypt; the Assassina, with their celebrated chief, the Old Man of the Mountains; the Nosairi and the Druses, who still exist in Syria; in a word, every thing that is mischievous or mysterious, are but off-sets from the common root. Limiting, as before stated, the number of legitimate Imaums to seven, terminating with Ismael, from whom they derive their name, or rather with Mohammed the son of Ismael, (in whom the perpetual Imaumat is established, and on whose re-appearance all the followers of his sect are bound to enrol themselves in his service,) they reckon seven lieutenants, or concealed Imaums; to one of whom, who lived about the year 250 of the Hejira, is attributed the establishment of the system of Initiation, divided into nine degrees, which is the subject of M. de Sacy's researches, and the ultimate goal of which he states to be "pure materialism, although setting out from a pretended revelation, the ideas of which, if taken literally, approach more nearly to a gross anthropomorphism than to spiritualism"! As it would obviously have been fatal to such an object to manifest at once, before all the converts of the sect, "the shameless nudity of its principles, and the horrible picture of their consequences," it was necessary to proceed cautiously, and to commence by an affected reverence for the very dogmas which it was their purpose to destroy. The missionaries, or Dai, are therefore instructed to become "all things to all men," and to develop their doctrines by slow degrees, few of the converts being deemed worthy of admission among the adepts, while the great majority remain stationary at various degrees of initiation; the only condition common to all being implicit obedience to the supreme head.

The manner in which the Dai is directed to proceed, in order to gain the confidence and to obscure the understandings of those whom he has selected for his proselytes, is given at some length; and the result is, that when he has succeeded in exciting doubts which he tells them can only be solved by means of the doctrine of which he is in possession, he exacts from them an oath not to divulge the secrets of the sect, to unite with none of its enemies, and to speak the truth to its members: this is the first degree of initiation. In the second, they are instructed in the supposed tenets of the sect, such as the divine mission of the Imaums, who can alone teach the true principles of the Musulman faith, &c. The third degree is that in which they first learn the doctrine which they are told distinguishes the Ismaelites from the other followers of Ali, namely, that the number of Imaums is limited to seven, and that the five additional ones recognised by the other Shiites are unworthy of that honour. All this, says the historian of the sect, is but a prelude, by means of which the Dai con-

trives to gain a complete ascendancy over the mind of his pupil, whom he can afterwards guide as he thinks fit. The fourth degree is the commencement of a system by which revealed religion is gradually eradicated from the mind of the proselyte, by giving an allegorical interpretation to its precepts. He is taught a doctrine with regard to the prophets, into which we have not room to enter, but which, if he embraces it, leads the way to the annihilation of all the positive and fundamental laws of Islamism. The fifth degree tends to dispose him insensibly to prefer philosophy to revealed religion. In the sixth, these seeds of incredulity and rationalism are expanded, and here closes the progress of by far the greater number of converts, many of the Dai themselves not penetrating further, but believing themselves initiated in all the mysteries of the sect. The few, however, who are judged worthy of being made acquainted with its esoteric doctrine, are taught, in the seventh degree, to doubt the unity of God, and to believe in two beings, existing from all eternity, which are the common principles of the organization of the universe, and maintain its harmony. The eighth still further develops this system, and teaches, moreover, that "the resurrection, the end of the world, the last judgment, and the distribution of rewards and punishments, are only emblematical expressions, signifying the successive and periodical revolutions of the stars and of the universe, and the destruction and renovation of all things, produced by the disposition and combination of their elements." In the ninth degree, the proselyte having no longer any religious belief, and having thrown off all submission to any authority superior to his reason, is abandoned to his own guidance, and makes his choice among the various philosophical systems already in existence, or manufactures a new one, according as he may be of an imitative or inventive turn of mind. The grand object of the sect is now effected by "the annihilation of all revelation, and the substitution of pure rationalism; all the rest is but the scaffolding, which falls of itself, and of which nothing remains, when the edifice of irreligion and incredulity is completed." Such are the extravagant reveries of the Arab historian, ingenuously adopted by the French savant without the expression of a doubt with respect to any part of the statement.

A notice by the same distinguished author, on the MSS. of the sacred books of the Druses existing in the libraries of Europe, is chiefly intended to give an idea of the contents of the different MSS. consulted by him in the compilation of a 'History of the Religion of the Druses,' which he prepared for the press twenty years ago; together with an 'Introduction on the History of the Musliman Sects,' and a detailed 'Life of Hakem-b'umr-h-Allah, one of the Fatimite caliphs, who is regarded by the Druses as an incarnation of the deity. The publication of this work has been retarded by his anxiety to render it as perfect as possible; and one of the primary objects of the present paper, is to induce those who have in their possession any additional materials, to communicate them without delay. The Royal Library has for more than a century possessed four volumes, consisting

of seventy distinct treatises; and portions of the same collection occur in the libraries of the Vatican and of the University of Leyden, as well as in the Bodleian at Oxford; which latter also contains a MS., consisting of forty-six treatises, only one of which is known to M. de Sacy. M. Dupont, the French consular agent at Beyrout, also writes, that he has succeeded in procuring all the sacred books of this mysterious creed; and that an English nobleman, who had arrived at Beyrout, had offered him 2000*l.* for them, but that he had given him to understand that he had not yet decided on parting with them; preferring, he says, to give them up to France. Their contents, when translated, would, he says, form three 12mo volumes; it is clear, therefore, that he cannot have all the sacred books of the sect, inasmuch as M. de Sacy's compilation, which forms two 4to volumes, is far from containing the whole even of what is known to exist in Europe.

It is quite unnecessary to say any thing here of the Manners and Customs of the Nesserie, a translation of M. Dupont's paper on that subject having been given in a former volume of the *Oriental Herald*;<sup>1</sup> or of another article from the indefatigable pen of M. de Sacy, 'On the Manner of Counting by Means of the Joints of the Fingers, used in the East,' as it consists merely of the translation of a passage from the Jihan-Ghiri, quoted in illustration of that singular custom, by Mr. Rose, in the 'Asiatic Journal,' some years ago.

M. de la Salette's article on Music is filled with complaints of the low state of that science in France, and of the defectiveness of the principles on which it has hitherto been supposed to rest. It seems that he has a theory of his own which he wishes to bring into notice; and that his inquiry, with regard to the state of music in the East, is merely a pretext for obtruding his notions on the pages of the 'Journal Asiatique.' We certainly cannot otherwise understand the meaning of his paper, which conveys no information, and is, therefore, incapable of analysis.

The Poetry consists of translations from Hariri, Almotenabby, Omar-ibn-Faredh, &c., by M. Garcin de Tassy and M. Grangeret de la Grange.

<sup>1</sup> Vol. V. p. 639.

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#### SHIPPING AND COMMERCE OF BENGAL.

##### *To the Editor of the Oriental Herald.*

SIR,—Having lately perused a work entitled 'Phipps's Shipping and Commerce of Bengal,' I beg to offer a few remarks on it, should you deem them worthy of notice.

In the first page of the Preface, the writer states, that the work "has attained to its present size by reason of the many valuable and useful documents, of such an extent and nature, that the compiler was induced to admit them, as it advanced through the press." The

following enumeration of pages, and the matter to which they are appropriated, will sufficiently confute this assertion.

Pages 6 to 16 are filled with copies of printed forms which are delivered to captains of vessels arriving in the river Hoogley, to be filled up. Now, if those forms were to be furnished by them, Mr. Phipps's copies would be necessary for their guidance; but, as this is not the case, here are ten quarto pages of print and blank space well adapted for lighting their segars, or for other purposes of equal advantage. It must be evident to every one, that all the information regarding the rules and regulations of the port of Calcutta might have been comprised in one-third the number of pages which it now occupies.

From 59 to 70 are filled with uninteresting details of the master attendant's department, lists of pilots, mates, and volunteers.—After reading the latter, I certainly expected to find the names of the Lascars who compose the crews of the pilot vessels also, which would have been of equal utility and interest. The useful matter in this portion of the work need not have occupied more than one-fifth of the space now appropriated to such matter as it contains.

Some allowance certainly must be made for the writer's apparent wish to bring into notice the various details of the office in which it appears he serves, and which he has most unreasonably spun out into seventy quarto pages, without much regard to the reader's patience or pocket.

By far the greater number of tables in Parts II. and III. are of very little utility to any one; but it may be said that those parts contain almost all the useful matter in the work; they might, however, (with proper and judicious selections and abridgment,) be stated in about 80 pages, instead of which, 250 are allotted to this and much other matter of little importance.

Of the trade of Madras and Bombay, in the Appendix, the writer has said little or nothing, which he certainly ought to have done in a work of this nature.

Under the head of Ceylon, p. 35 to 51, there are sixteen pages principally filled with the old regulations of 1813, 1815, and 1817, relating to the customs and master attendant's departments; and although various repeals, modifications, and consolidations have been made at different times since, no notice whatever appears to have been taken of them; which is the more inexcusable, as a complete and general abstract of the existing regulations is published annually in the Ceylon Calendar. If Mr. Phipps had possessed sufficient discrimination to have selected and formed an abstract of the principal matters, five pages would have sufficed to afford the public a correct statement, in lieu of sixteen of old and erroneous matter here presented to them.

If I am to judge of many parts of Mr. Phipps's work by the erroneous information here given, I should infer that the errors are numerous indeed.

Fourteen pages are appropriated to a verbatim copy of the Isle of France port rules and regulations; an abstract of one-third this quan-

tity might have been framed, and would have afforded the merchant a much clearer view of the existing order of things than this voluminous compilation.

Regarding the trade of Ceylon, the Isle of France, and New South Wales, the author has given scarcely any account whatever ; but has merely furnished a copy of the custom-house regulations of each.

Throughout the whole work, the information is so scattered and unconnected, that it more resembles a labyrinth of notes, titles, and extracts, than a systematic arrangement calculated for ready reference.

Every one engaged in, or connected with, the trade of India, must admit that a continuation, or revised edition, of Milburn's *Oriental Commerce*, is much wanted. This can only be compiled with accuracy by a merchant of considerable general knowledge and experience. Were such a man to publish a work of the same description, he would well deserve the thanks of the community.

Mr. Phipps does not appear to have condescended even to follow Mr. Milburn's arrangements in any respect ; and although he has obtained some useful documents, which appear to be correct in general, yet it does not seem that he possesses sufficient talent and information to warrant him in compiling a work professing to give a full and accurate account of " the Shipping and Commerce of Bengal."

AN EAST INDIAN.

#### THE WINTER'S NIGHT.—(A RURAL INVITATION.)

STAY, stay with us, my friend, and share  
 The pleasures of this cheerful hearth,  
 Nor snowy gusts, nor freezing air  
 Can reach us here to chill our mirth.  
 We'll circle round the blazing fire,  
 And crack the squirrel's spoils to-night,  
 And tell old tales, or touch the lyre,  
 Or drain the goblet mantling bright.  
 You shall not thread the darksome grove,  
 Or trust the boatman's sleepy oar,  
 E'en though the guiding light of love  
 Gild soft the river's further shore !  
 For, list ! the angry wind is high,  
 And sharply shrieks the boding owl ;  
 Some robber's form molests her eye,  
 Or vision'd murders vex her soul !  
 Here safety spreads her wings, be still,  
 And choose you song or downy sleep,  
 Till o'er yon wood-crown'd hoary hill  
 Dawn's wintry lingering footsteps creep.  
 The fields will then, though cold, be bright,  
 And, glittering in the slanting ray,  
 With hoar and icy pearls bedight,  
 Seem deck'd as for a holiday.

BION.

## ON TRIAL BY JURY.

*To the Editor of the Oriental Herald.*

SIR,—It may seem somewhat paradoxical, at this time of day, to call into question the utility of trial by jury,—an institution which has been handed down to us by our forefathers for so many ages,—an institution which has always been considered as one of the greatest bulwarks of the liberty of Englishmen. However, our ancestors were but men like ourselves, and were consequently liable to err, to reason falsely in matters of legislation as well as of any other science. The opinion of our ancestors on any point, then, cannot at present constitute a true standard of right and wrong: in illustration of this, for the benefit of any of your readers who may have any scruples on the subject, I would instance the learning displayed by them in detecting, and the ingenuity exercised in punishing, the crime of witchcraft, which is now admitted, as far as regards the prevention of that craft, to have been troubling their ancestral heads to very little purpose, whatever they may have done at other times towards putting down certain other crafts, which it would not be polite to name.

Trial by jury, like any other institution, must be judged of according to the standard of utility; that is, whether, upon the whole, it is productive of preponderant good or evil. I shall endeavour to decide this question, by showing, first, what qualities, on the part of a judge, are required under a good system of judicature, and then comparing it with trial by jury, by which it will appear whether or not that institution possesses those qualities which are requisite to the ends of good judicature.

The function of a judge is to decide justly, that is, according to the evidence brought before him. To fill such a situation as this, a man must not be chosen at random; something of his previous character must be known as to integrity; and, moreover, it should be the business of the individual who appoints him, to ascertain that his moral character is unimpeachable. But honesty alone is not sufficient to enable a man to come to a just conclusion on any subject; he must have knowledge; and as there are few situations in which such a variety of matters are discussed as in courts of law or equity, a judge must have knowledge on various subjects: he must be a man of liberal education. But to decide justly, that is, according to the merits of the case before him, it is necessary that he should pay attention to the evidence which may be adduced on both sides. To secure this attention, a stimulus must be provided; this is easily done, by requiring on the part of the judge, previous to his pronouncing the judgment, that he should state his reasons for his decision. But that which will act most effectually as a stimulus, and without which no system of judicature can possibly be what it ought to be, is the responsibility of the judge, that is, his liability to be displaced from his office for any dereliction of his duty; and in addition to this, in



all cases which will admit of it, his liability to make reparation to the injured party out of his own pocket. Every judge, then, should possess appropriate moral, intellectual, and active aptitude; and as a security against his making an improper use of his power, he should be effectually responsible.

The function of the juryman being the same as that which we have just seen belongs to a judge, namely, to decide, it follows that he also should possess those qualities which it is requisite the judge should possess. To what extent measures are taken to secure the possession of these qualities on the part of jurymen, I shall now proceed to inquire. And first, as to moral aptitude. The leading feature of trial by jury consists in the jurymen being chosen without any sort of distinction; in fact, it is considered as the most essential point in its constitution, that they be chosen by chance. What security then can there possibly be, as to the moral aptitude of any one of the jurymen? The individual who picks them out cannot possibly be acquainted with the characters of all, or of any considerable portion of them; and if he were acquainted with the character of any one of them, however bad he might know it to be, he has no authority to enable him to set him aside: in short, any such optional power as this vested in an individual, would totally destroy the characteristic feature of the whole thing. The public, in general, know no more about them, nor so much, as the individual who chooses them; consequently, the public can have scarcely any moral control over them. The effect of this is, to make juries independent of public opinion; and, in fact, they are, for the time being, as far as regards the manner of giving their verdicts, as so many despots. Whether they decide justly or unjustly, it is all the same to them: if their verdict is an unjust one, they cannot be punished for it; neither does that odium, which would necessarily fall upon a single and permanent judge, fall upon them: instead of this, they mix in society as before, and nothing more is heard of them. Neither does that sort of moral restraint, the necessary result of the presence of the individuals who occupy the court, (small as their number is,) affect *them*; it could only affect them during the time it might take to state *why* they decided in such or such a way; but as they give no reasons for their verdict, and disperse after their verdict is given, there is no time for the operation even of this exceedingly small section of the moral sanction. But there is still another obstacle to securing moral aptitude on the part of jurors, or, I should rather say, another inducement to improbity; and this is, in requiring that the verdict shall be the unanimous verdict of the twelve jurymen. This is an inducement to either of the parties interested, but more especially the party in the wrong, to influence some one jurymen in such a way, that he will consult his own interest by deciding in a certain way, whether his colleagues do so or not. Suppose they are all opposed to him, and the case is not of a public nature, the probability is, that the dishonest juror will force the others to agree with him, sooner than be kept from their homes and without food. The ends of injustice may

likewise be served by this requisite unanimity, even though sinister interest has no part in it. For instance, one of them may have come to a wrong conclusion conscientiously, and may, through obstinacy or conviction, persist in his decision; here, again, the others being indifferent about the matter, the result will probably be the same. Other cases might be put; but I think enough has been said to show the absurdity and mischievousness of requiring their verdicts to be unanimous: it opens a door to dishonesty, and that dishonesty cannot be punished, inasmuch as nobody knows who the dishonest man is, not even those in whose presence the verdict is given, as all their consultations are secret. Dishonesty *may* not have taken place, but there is no security against it.

Intellectual aptitude is a quality with which I believe jurors in general have less to do than with any other. They are, for the most part, chosen from the class of tradesmen,—a class which, under present circumstances, necessarily receives no other education than such as is absolutely requisite for their respective occupations, or very little more. Supposing even that some few had received a better education than others, the choice being made by chance, they cannot be chosen in preference to others, who may not have received so good an education. Can it then seriously be supposed for a moment, that on the part of a random assemblage of ignorant men unused to judicature, the chances of misdecision can, in each instance, be less than on the part of a man of education, who has made the study of judicature the business of his life, and who has besides, in each instance, (owing to his responsibility,) a strong interest to decide justly?

There remains active aptitude. To a certain extent, undoubtedly, this quality may be secured before an individual is appointed a judge, namely, the necessary physical strength to enable him to go through the fatigues of his office. The election by hazard, however, again prevents the certainty of the juror possessing even thus much. But in addition to this, there is another requisite sort of labour included under this head, and which can only be secured after their appointment, and this is, that mental labour which is necessary in order to obtain correct information as to any particular matter of fact, not only to enable a judge to distinguish between one set of evidence and another that may be brought forward, but also, supposing that evidence not satisfactory, by means of questioning the witnesses, to extract further evidence if possible. To ensure this sort of exertion, a stimulus, as I stated above, must be provided. This stimulus on the part of the single judge is threefold: first, requiring him to give his reasons for his judgment, which he could not do unless he had paid attention to the case; second, the operation of the moral or popular sanction, which, in his situation, would act with peculiar force; and thirdly, his responsibility, which makes him liable to be displaced, and punished still further, if necessary, in case his misconduct should be thought to merit it. Neither of these, however, can be brought to bear against jurors. They are not responsible; they give no reasons; they have no interest to exert themselves. What

says experience? Why, it is notorious to all those who are in the habit of frequenting our courts of justice, that the manner in which juries, for the most part, comport themselves, is a disgrace to any thing like civilized judicature; and this disgraceful conduct extends even to criminal cases. Is it any thing out of the way,—is it any thing uncommon, in cases where a man's life is at stake, to see half of the jurymen fast asleep, and the other half thinking about following the same edifying line of conduct? The office is to them a dead bore; they are wasting that time which they would be glad to spend in their own shops. How then can it be expected that they can enter, heart and hand, into the merits of the cases which are brought before them? In the majority of cases they are guided by the judge; and, in those cases in which they do not deign to listen to him, generally exhibit the most complete disregard of the evidence which has been brought before them.

There is another point which, however insignificant it may appear when taken separately, ought to have some weight when it is considered in conjunction with those already urged; and this is promptitude of decision, without which the principal end of judicature itself might be frustrated. In the case of the single judge, he sums up, states his reasons, and decides at once; here the delay is reduced to its minimum: in the case of the jury, on the contrary, supposing they really take part in the business, a vast quantity of time may be wasted, and oftentimes is wasted, in their consultations, before they can all agree to the same verdict; with this unnecessary delay, too, come its inseparable companions—unnecessary vexation and expense. This must always happen, even were juries, in other respects, the reverse of what I have endeavoured to show them to be.

To sum up: the system of trial by jury affords no security for integrity, intelligence, or exertion on the part of those in whom the state has vested the power of deciding the most important questions which can effect the individuals of the community.

It is not to be wondered at, that, in defence of an institution of so long standing, and one held in such veneration for that very reason, various specious arguments should have been urged. Some of these I think it necessary to advert to. It has been said, that the jury must be impartial, inasmuch as it is chosen by chance: now, granting this, it is no more in favour of juries than of a single judge, for he might be chosen by the same means; but I have shown that so far from their being necessarily impartial, that partiality cannot be prevented as juries are at present constituted, whereas in the case of the single judge it can be prevented most effectually.

Another argument is, that there is something arbitrary in leaving the decision to one man, whereas jurors are many, and instantly mix with the people. Arbitrary is undoubtedly a word that is in bad odour; but if it means any thing it means this—the doing any thing without consulting any rule or reason, but merely because it is the will of the individual doing the act. The single judge is forced to be guided by rule and reason: are juries equally obliged to be thus

guided? In how far they are thus guided is sufficiently known. The word arbitrary, then, if it means any thing, is misplaced. As to mixing with the people, this is a strange thing to urge in their favour. It is this one thing, more than any other, which I most find fault with; it is this which prevents their being restrained by any sort of control. Were they a permanent body there would be some sort of responsibility; they would be forced to make themselves masters of the case brought before them, in order to decide upon it according to its merits; otherwise they would incur the odium of the public, to whom they would soon become personally known, which odium it is not probable they would willingly like to incur. But even on this favourable supposition the jury is useless, for it would do no more than might be done by a single judge. If the jury were permanent, it may be said the Government might wish to corrupt it in certain cases, and from its permanence would be likely to succeed; but this is nothing more than the Government can do at present; that is, they have the same chance of success in corrupting them, for it would be very easy to ascertain the names of the jury before the trial came on; and, moreover, if they were permanent, the moral sanction would have such a check upon them, that it is doubtful whether a Government would not find less difficulty in corrupting a temporary jury, which cannot be acted upon in the same manner by public opinion, than in corrupting a permanent one, which would run the risk of incurring the popular odium.

It has been urged, that many considerations might escape one individual, which would not be the case with juries, where so many heads would be at work. But I believe I have sufficiently shown that, although there may be many heads, few of them, if any, work or are capable of working; and even supposing they did work, this would rather do harm than good; what is required of them is to decide, but twelve men are hardly calculated to be able to decide, and all the same way too as one. Another evil, which must not be forgotten, and which of necessity attaches itself to this institution, were it ever so amended in other respects, is the division of their responsibility. They must all concur in the verdict: suppose it is an improper one, who is to blame? Nobody; each juror will of course say it was not he that recommended such a verdict; it was done by his colleagues, and he was forced into it. They cannot be punished; they will screen one another, and you would scarcely punish them all.

It would be a question for further consideration as to the expediency of adopting any modification of trial by jury. At present my opinion is decidedly adverse to the adoption of any modification of it whatever.

Notwithstanding what I have said, I should not wish to see jury trial abolished in this country, as things are at present constituted; and, for this reason, namely, because in *political* cases it serves as a check, however inadequate, to the power of the crown; for on occasions such as these I will give juries the credit to say, that a sufficient stimulus would be found, and is sometimes found, to exert

themselves, and not be blindly guided by the judge, a creature of the crown, and consequently having an interest to decide in favour of the ruling power. This check, as might be expected, was found very inconvenient, and measures were taken to get rid of it. This was done by restricting considerably the number of individuals capable of serving on juries, and by giving the power of choosing them to an officer of the crown. Juries so appointed were termed special juries. The iniquity of this system, so happily termed the packing system, was exposed day after day without any effect. The public voice was constantly disregarded : whenever this system was complained against; the people were insultingly told that the Master of the Crown Office (the individual who struck the special juries) was a most respectable man, as if that had any thing to do with the question. All servants of the crown are, as a matter of course, respectable men ; but their respectability does not prevent them from doing that which is wrong. At length, what with the force of public opinion, and a desire to a certain extent, on the part of the present ministry, really to benefit the people, Mr. Peel introduced his Bill, which has now passed into a law, and will effectually put a stop to the disgraceful system of packing : the number of persons liable to serve is much enlarged, and the choice is to be made by the only possible fair way, namely, by lot.

For the good it is likely to do in this way, namely, in serving as a check to the judge in *political* cases, and for this alone, am I desirous of seeing this otherwise needless and mischievous institution upheld.

A STUDENT OF LEGISLATION.

SONNET.

On ! come not, Passion, with the fiends of care  
 And forms that haunt the midnight of the soul !  
 Raise not the fearful tempest of despair  
 Along my darken'd path ! Let Faith control  
 Rebellious thoughts and pangs that fiercely tear  
 The pulse of life. There is a softer grief  
 The lone and weary heart may learn to bear  
 Calm and resign'd, 'till quick tears yield relief  
 To voiceless feelings, and the bosom teems  
 With holy consolations. Such may be  
 Toss'd on the dark waves of Life's stormy sea,  
 The good man's sorrow. Soon Hope's cheerful beams  
 The trusting spirit from the strife shall free,  
 And gild the shadows of the mourner's dreams !

Howrah Cottage.

D. L. RICHARDSON.

LETTER ON THE NEW DUTCH COMPANY, AND ITS OPERATIONS  
IN BATAVIA.

*To the Editor of the Oriental Herald.*

SIR,

Batavia, 30th July, 1825.

THROUGH the kindness of my friends, I have been regularly furnished with the *Oriental Herald* from its commencement, which has, I believe, excited almost as lively an interest here, as I understand it has done throughout all British India. It is eagerly inquired for on every arrival from England; and much disappointment felt when no new Number is brought out. I have, therefore, to prevent disappointment in future, requested my friends at home to subscribe for it on my account, and should really feel obliged if it is in your power, without trouble or inconvenience, to aid in forwarding it by the earliest opportunities.

I sincerely congratulate you on the success of this work, and trust the good cause you so ably advocate, will soon excite that interest in the British public which its importance demands; while they, in the bosoms of their families, with every comfort around them, are enjoying and appreciating the blessings of liberty, they ought not to be indifferent to the calls of those enterprising spirits, who have quitted such homes for distant and ungenial regions, in quest of fame and fortune, nor suffer the scourge of Oriental despotism to be added to the natural dangers and difficulties they must unavoidably encounter. If it were incontestably the interest of Great Britain that this should be the case, it would be their duty to endure it without repining; but when it is at best but a doubtful policy, mainly insisted on, and supported by an interested monopoly Company, whose want of skill, even in their commercial affairs, compelled them, when exposed to the fair competition of their countrymen, to quit the field almost without a struggle, and whose judgment, therefore, on more important matters must certainly be very questionable; it surely is worthy of serious consideration, whether such a system, so supported, which deprives Britons, and not unworthy ones, of their dearest rights, and places them beyond the pale of British laws, should endure.

I observe with regret, that while your correspondents from all other parts of India are numerous, respectable and intelligent, you have not one from Java, and are consequently obliged to have recourse to the daily press for intelligence from hence; thus you frequently insert, under the head of Java and Batavia, what is really news to us, and not unfrequently in a spirit and language as unfair as it is generally incorrect. For instance, in your Number for December 1824, you say that the Java Government in their embarrassments applied to the English merchants of Batavia for a loan, and were refused, because of their laying on high duties, &c.; now I assert, without fear of contradiction, that they *never did* apply to the English merchants of Batavia for a loan. That their finances have been embarrassed for some time, and still are so, is no secret; and it is well known

that they have borrowed from several Dutch houses, and one English house, established in Batavia. It is also generally reported that their agents in British India raised a loan for them last year, but whether to the extent of one or five millions of rupees, is not known. I cannot, however, believe the amount could have been considerable, as it has afforded no apparent relief to their finances. I regret my inability, even if I enjoyed leisure, to furnish you with a monthly summary of what occurs here; still, for the sake of truth, and in common fairness to those amongst whom our lot is cast, I will endeavour occasionally to communicate such passing events as may be important or interesting to some of your numerous readers. And as the new Dutch Company has excited considerable interest here, I shall commence with them.

The accounts brought out by their China ship, the *Iorina*, of the measures taken by his Netherlands Majesty with regard to this Company, in place of holding out any prospects of relief to the finances of this Government, threatened them with inevitable ruin.

It is said that the minister for the colonies had entered into a contract with the Company, on the 6th March last, to deliver to them all the coffee of the Preauser Regencies and Buitenzorg (at least 80,000 peculs annually) for twelve years, at the rate of 23 guilders per pecul, to commence six months after the date of the contract, or on the 6th September next. This is a sad blow to the prosperity of the colony, as it at once deprives the trade of one-third of the returns, and the Government of upwards of one million of their revenue. It will also oblige the Government, if they mean to keep faith with the public, to call in about six millions of treasury-notes now in circulation, payable twelve months after date, with 9 per cent. interest, but receivable into the treasury at all times in payment of produce purchased at the Government sales. Now, as there can, after September, be no sales of any consequence, the notes, unless speedily redeemed, must soon be at a discount.

I believe, by the constitution of the Netherlands, no exclusive privileges can be granted either to individuals or companies; and when this Company was first established, their charter declared, that they were to have no exclusive privileges, but were to be allowed a *preference* of all Government freights. Now, however, we find that this *preference* has not only been converted into an *exclusive right*, but that the Colonial Department are determined to *make freights* for the benefit of the Company. I shall give you an example of how they have commenced, from which it may easily be inferred how it is likely to end.

In 1817, 1818, and 1819, when ships generally came out almost empty, this Government requested the Colonial Department to send them out as many bricks as the ships coming to Java would take (as ballast) free of freight; at the same time, and for some time after, they continued sending indents for stores and supplies which were *then* required; but as very little attention was paid to those indents, they were discontinued, and the supplies provided on the spot. Now,

however, when they must have been aware that the articles then indented for were either already provided, or no longer necessary, to make business for the Company and freight for their ships, they hand over those indents to them, and they send them out on account of Government invoices, 25 to 35 per cent. higher than private invoices, for the same description of articles. But this is not sufficient; they must also gain by their freights, and I shall give you one example of how this is done. The Company charter the *Rotterdams Wellvaren*, out and home, for 55,000 guilders. On this vessel the Government ship bricks and other articles which the Government no longer require, at a rate of freight which gives the Company 52,000 guilders out, after landing this *valuable* cargo!! The ship immediately takes on board produce for Holland on private account, which gives her a freight home of 45,000 guilders.

In this manner the new Company have already claims on this Government for upwards of one million of rupees, for articles they do not now require, and which, if sold, would not realize half the amount.

Having now given the Company all the Government coffee at two-thirds of its value, what is to prevent their giving them the spices of the Moluccas, and the tin of Banka, on the same terms; and if they should still lose, as it is probable they will, making greater reductions in the price, until at last they get them for almost nothing? I firmly believe they would get the colonies altogether, were it not more advantageous for them that the charge of governing should fall on the nation; for, deprived of all their most available resources, this must ultimately be the case.

I should like to know what possible advantage the Netherlands expects to derive from this Company, to counterbalance all the mischiefs this system is likely to entail upon it?

His Netherlands Majesty is reputed an upright and a good man. His having so large an interest in this Company, and being in a measure chief Koopman, was therefore considered as a guarantee against their obtaining exclusive privileges; for, possessed of such virtues, it was not to be supposed that, as king, he would permit the interests of the country to be sacrificed in a tenfold degree for the advantage of a Company in which his private interest did not amount to one-tenth. Whoever, therefore, has given such counsel to his Majesty, by whatever motives he may have been actuated, can hardly be looked upon in any other light than as an enemy to his sovereign, and a traitor to his country; and if this system is persevered in, the nation will have more and more cause to regret their surrender of the colonies, without control, to his majesty's management.

We learn also, that the colonial minister has contracted with the Company for a loan of eight millions of guilders on account of this Government, to be paid by instalments, and finally closed in December 1826. This loan, I understand, is to be repaid to the Company by means of the coffee which they have contracted for.



In the present state of the finances, the eight millions, if immediately sent here in specie, would afford a temporary relief, and no more, because the Company, by getting the coffee, deprive the Government of upwards of two and a-half millions of their annual revenue, which would soon involve them in new and greater difficulties. But I fear our ill-fated, and much abused colony, will not even experience this short reprieve, and that the measures intended by our Government for the restoration of the finances and the general benefit of the colony, managed as they have been by the Colonial Department, will only increase their embarrassments and accelerate their ruin.

I am satisfied that the loan from the Company to this Government will be accounted for to them by the Colonial Department, nearly as follows :

1. Paid advances made on account of the Java Government for troops and stores sent them to this date, and for civil and military pensions and salaries paid on their account in Europe	Guilders, 2,000,000
2. Amount required to provide like disbursements on account of the colonies for 1825 and 1826	1,000,000
3. Amount to be paid to Great Britain on account of the colonies 100,000 <i>l.</i>	1,200,000
4. Amount of the Company's claims against this Government for goods and bricks indented for many years ago, but now no longer required	1,000,000
5. Amount of claims which, by the aid of their interest at home, they will in all probability have against this Government, before December 1816, for bricks and other valuable stores	1,500,000
6. Amount which, to save appearances, may perhaps be sent out in specie	1,300,000
	8,000,000

Thus, of the eight millions raised to relieve their embarrassments, this Government may probably get one million in cash ; and this supply costs them a sacrifice of 10 to 11 guilders per pecul on their coffee, or one million of guilders annually, and deprives them of upwards of two and a-half millions of annual revenues, until the Company has been repaid.

It is necessary, however, that I should give you a short sketch of the finances of this Government, that their present state may be better understood.

I believe their revenue, in 1821, amounted nearly to twenty-eight millions of India guilders, but unfortunately, at that time, unexpected contingencies made their expenses considerably exceed thirty millions. Since that period, their revenue, from various causes, has been decreasing, and does not at present, I believe, much exceed twenty-two millions, while their expenses exceed twenty-six millions ; and by the judicious management of the colonial minister, their revenue will now be reduced below twenty millions, while their expenses will per-

haps be increased, for they continue to send out hordes of civil and military servants to be employed here, although repeatedly informed that employment could not be found for those already sent.

The Commissioners-General, who took over the colonies from the English, brought out with them two millions of Netherlands guilders. To make the most of these, a proclamation declared them equal to Java rupees, and they were accordingly issued at 30 stivers, in place of 26, their real value. By this miserable expedient, which has deranged the circulation—banished all other coins, caused the greatest inconvenience, and must in the sequel involve the Government in serious loss—they gained at the time about 270,000 rupees. They also issued five millions of rupees in paper currency, and some years afterwards the Government began issuing treasury-notes, in anticipation of their revenue, but which are now said to amount to six millions. Besides the paper in circulation, they owe to public institutions, and to individuals in the island, upwards of two millions, and to the Government at home two millions more. Thus, it appears, that their expenditure, since the restoration of the colonies in 1816, to this date, has exceeded their income seventeen millions, or an average of nearly two millions per annum.

With the expenses increasing and the revenue decreasing, through the measures of the Colonial Department, how long, I should like to know, can such a state of things continue?

The one per cent. which his Majesty's gross share of the direct national sacrifice scarcely amounts to, will afford him but poor consolation when the ruin of the colonies has been accomplished; and I should think his advisers, whether actuated by enmity to our worthy Governor-General, as is generally believed here, or a desire to ingratiate themselves with his Majesty, by aiding his Commercial Company, will in due time receive their reward.

The Baron Vander Capellen is well known in Europe as a nobleman of the highest principle and honour; and during the long period of his administering the government of these colonies, he has gained the esteem, and I may even say affection, of all under his rule, for, to the qualities already mentioned, he adds the greatest benevolence of disposition, and a strict love of justice tempered with mercy.

Yet, although entertaining the highest regard and esteem for this amiable nobleman personally, as every one who has the honour to know him must do, I am far from justifying or attempting to defend many acts of his public administration. It should be borne in mind, however, that he came out a perfect stranger to these countries, and was strongly recommended for advice and assistance to men who had been educated in the old monopoly school, and who, having been long shut up in Java, and almost totally excluded for many years from all intercourse with the civilized world, were ignorant of the advancement in knowledge that had taken place, and bigoted in favour of the old system.

It was consequently towards the re-establishment of this system that these "old experienced servants of the former Company" di-

rected their whole energies, and urging their long residence and great experience, they always prognosticated the greatest danger to the colony should their advice be neglected.

It is for yielding to such counsel that the Governor-General is most to blame, for had he possessed the fortitude and firmness to shake off those antiquated advisers, who are at least a century behind himself in every branch of knowledge, and been guided by his own excellent judgment and enlightened views, these colonies would at this moment have been in a very different situation.

As soon as his Excellency and some of the most enlightened of his council began to perceive the effects, and to doubt the wisdom and even policy of the measures these "old servants of the old Company" had advised, some of them embarked for Europe, and, to the astonishment of every one in this part of the world, have actually prevailed on his Majesty to establish this new Company; which, from the rapid progress it has already made, will soon be what the old Company was, and will, no doubt, be as successful, but more expeditious, in reducing the colony to a similar state of bankruptcy and beggary.

It is gratifying, however, even at this late period, to observe the Governor-General divesting himself of the baneful influence of such counsel, and adopting a more liberal course; and it is also a satisfaction to find him aided and supported in such measures by some enlightened members of his council, who, like himself, are now aware of the ruin brought on the colonies by the measures hitherto pursued, and are convinced, that it is only by pursuing a liberal system that they can ever become wealthy in themselves, or serviceable to the mother country.

As a commencement, I have much pleasure in handing you the enclosed proclamation, dated the 12th instant, establishing a general entrepôt system on such sound and liberal principles, as cannot fail to prove eminently beneficial to these colonies, and to all connected with them. Here it has excited a very lively sensation, being hailed as the dawn of an enlightened policy; in short, it is looked upon as the natural offspring of the Governor-General, whose sound judgment and liberal principles, influenced by a most benevolent disposition, would long since have adopted such measures had he been free from the trammels of the European Government, and the antiquated and bigoted advisers they recommended to him, and left to the free exercise of his own excellent understanding.

Scarcely a month ago our commerce was as lethargic as if it had been under the influence of the Batavia fever. It had been for some time back in this state, and was daily becoming worse; for the measures pursued were so effectually destroying it, that it was doubtful whether Government, amongst the other advantages of their trade with Japan, had not also imported and adopted the commercial policy of that country.

The recent accounts of the rise in the price of colonial produce in Europe, together with the proclamation of the 12th instant, have

changed the face of affairs. Considerable activity at this moment prevails, and many schemes are in contemplation to avail of the advantages which the entrepôt system holds out to the merchants of the colony.

You will observe that *Anjer* (our entrepôt establishment) is situated in the Straits of Sunda, that gateway of the Archipelago, which more directly conducts towards the high-road to the Western World, and through which, consequently, the principal part of the trade carried on from thence with the Archipelago and the countries bounding it, passes. It is at *Anjer* that the dangers and difficulties of the western navigator may be said to commence, and there he would no doubt gladly terminate his voyage could he procure the products he required, even at an enhanced price; for the saving to him in time and insurance, independent of the danger and uncertainty attending what is called a trading voyage, would thereby be considerable.

There is little doubt, therefore, that our colonial craft will soon be actively employed throughout the Archipelago, bartering the fabrics of Europe and America for the products of these different countries, which can now be landed in our entrepôts, and await a favourable opportunity of disposing of them. The colonial craft have many advantages over the vessels of Europe and America, in an intercourse with these countries. These vessels are generally of a more convenient size, the captains and officers are, from experience, more intimately acquainted with the intricacies of the navigation, and, by speaking the language, communicate directly with the parties who conduct the business; and when a misunderstanding arises, are able to explain and adjust it. The crews being generally a mixture of natives of continental India and of the Archipelago, are less likely to give offence; but, on the other hand, they are certainly less capable of defence than a European crew. The danger from pirates is, however, much more talked of than it deserves, for there is scarcely an instance of a vessel, well appointed and armed, being captured. The brig *General de Koch* would not have been captured had not her ammunition failed, and perhaps not even then, if the pirates had not been encouraged to persevere in their attack, by perceiving her dastardly commander and officer jump overboard and swim off to save themselves. It is not therefore unreasonable to expect, at no distant period, to see the principal part of the intercolonial trade conducted by our colonial craft, and the vessels of Europe and America procuring both a ready market for their outward, and all the products they require for their return, cargoes at our entrepôts, and thus considerably diminishing the duration, uncertainty, and dangers of their voyages.

In the beginning of this month, coffee was dull of sale in Batavia at 11 to 12 drs. per pecul, and the market generally was heavy, few sales or exchanges taking place. Silver dollars were selling at 17 per cent., silver currency at an agio of three per cent. on the paper, and no bills procurable on England and India, and very few on Holland at 40 to 42 strs., six months' sight.

A respectable mercantile house in this place received accounts of the rise of colonial produce in Europe early this month, and secured about 20,000 peculs of coffee before it was generally known. The accounts were brought by the brig *Comet*, which landed her letters at Anjer, and reported there as an American from New York bound for Singapore, so that no one was aware of a late arrival from Europe. She is said to have made a passage of 93 days, and must therefore have left early in April. The moment she arrived in Batavia Roads, (which, however, she did not do for some days after her arrival at Anjer,) and was known to have come from England, the price of produce rapidly rose; and letters from London to the middle of March arriving, *via* Holland, soon after, the price of coffee rose to 14 and 15 drs.; and 10,000 peculs, sold at the Government sale on the 9th instant, averaged, with *vendu* charges, drs. 15, 30 cts. per pecul. At Samarang, the prices of coffee also rose from 19 rs. to 29 rs.; but by the last accounts it had subsided again to 24 and 26 rs. Here it has also had a reaction, and may now be quoted at 13 to 13½. The demand for silver and paper currency to send to the eastward for the purchase of coffee, made the agio rise as high as eight per cent. on the one, and one per cent. on the other, in exchange for treasury-notes, which are not current in those markets. Silver dollars are at present at an agio of 25 per cent., occasioned by the demands of the Chinese for remittances to their families by the junks, which are preparing to depart for China.

I also hand you an extra Gazette published this day, detailing the operations of the army in the Celebes, under the command of General Van Grew, by which you will perceive that the expedition to Macassar has been eminently successful, and that the General expected to return to Java soon after his last despatch.

The eastern post has brought accounts of a disturbance at Djocjocarta, the nature and extent of which is not yet ascertained.† General de Kock (our Commander-in-Chief and Lieutenant-Governor) set off for that place on the evening of the 26th, for the purpose of amicably adjusting the matter if it appeared to originate in misunderstanding, or of crushing it at once, should that be necessary. In the present state of the Native powers, there is nothing serious to be apprehended, if they are properly dealt with, for they neither possess the intelligence or energy to arrange and organize a simultaneous rising, which alone could endanger the safety of the colony. I sincerely hope and trust his Excellency the Commander-in-Chief may be successful in adjusting the matter without proceeding to extremes. It was impossible to send any one better calculated to conciliate these people, and inspire confidence, than General de Kock; for the urbanity and mildness of his disposition, his inviolable good faith, and strict love of impartial justice, are universally known and appreciated by the Natives as well as Europeans of Java, while they are, at the same time, well aware of his high military talents, and his power to repress them by force, if necessary.

A RESIDENT AT BATAVIA.

## NEW ARRANGEMENT OF THE BOMBAY ARMY.

*To the Editor of the Oriental Herald.*

SIR,—By letters from Bombay of August last, it appears that the new arrangements sent out by the Court of Directors for their armies at the three Presidencies, have not only produced disgust and great dissatisfaction, but have had such a demoralizing effect, that discipline in some of the Native regiments is entirely lost. The scarcity of European officers on the Bombay side of India, is such, that many of the corps have not more than four or five present for duty; and with these are included commanding-officer, adjutant, and quartermaster. Two of the regiments have, for some time past, been commanded by their adjutants, having under them two or three youngsters just landed as cadets, and posted to do duty as ensigns. But the want of European officers is not the only evil felt by the Bombay army, from the injudicious interference of the Court of Directors. In consequence of the great demand for troops, there not being sufficient for a relief at any of the principal stations, a representation was forwarded from Government to the India House, in August 1824, for permission to raise four regiments for the line, stating the impossibility of carrying on the military duties of the establishment without this augmentation. The answer from those heaven-born Wellingtons of Leadenhall-street was every way worthy of themselves. They, of course, in their wisdom, knew better than either the Commander-in-Chief or the Government of Bombay, whether troops were wanted or not, as also the description of troops required. They knew that their own irregulars at the India House were most excellent soldiers, though only drilled thirteen times a-year; [vide Debate in last month's Herald;] and no doubt imagined that soldiers could be made with as little trouble in India. This is a mere supposition of my own, from the circumstance of their having decided that irregulars should be the order of the day at Bombay. Four provincial extra battalions were raised; thus not only shamefully disappointing the just hopes and expectations of the European officers of the Bombay army to promotion, but adding to the difficulties already experienced; for these corps must have European officers from the line, if it was only to put a few hundred rupees a month in the pockets of a favoured few. Sir Charles Colville, as became his duty as Commander-in-Chief, protested against the measure; but Mr. Elphinstone's *independence* was not proof against his fears of giving offence to his honourable masters. Besides, being a poor man, who cannot afford to lose his situation, he is surrounded by hundreds of cousins sixteen times removed; and these extra battalions add greatly to his private patronage. Regiments of the line, of course, fall to officers according to seniority; but here the Governor may give them to any hungry subaltern. With all Lord Amherst's

failings, (and no one can dispute them,) the European officers of the Bombay army would, at this present moment, prefer a little of his independence (as shown on the occasion of the late augmentation to the Native army on the Bengal establishment) to Mr. Elphinstone's obsequiousness.

In the event of a war breaking out on the western side of India, and which I doubt not has taken place ere this, not one-third of the Bombay army could take the field effective in European officers; and this could only be done by taking them from the regiments left in garrison, leaving these regiments under the control and management of their Native officers, to the utter annihilation of every thing essential to the efficiency of a Native corps. The impolicy of sending strange officers on service with a Native regiment, cannot be too strongly enforced. It is well known that they do not possess the confidence of the sepoys, and are invariably considered intruders. The suspicion which attaches to them the officers seek not to remove: they are there against their inclination, and care not how soon they rejoin their own regiments.

It is well known what Native troops are, without European officers to head them; I therefore do not suppose it requires any argument to prove what they must be under those who unfortunately have lost their confidence; but, if necessary, I could point out its fatal effects in numerous instances, some of which I have, during a period of twenty-five years' service, witnessed myself; but at present I fear to take up your time and space, having already been led on far beyond my original intention.

A SUBSCRIBER.

Hull, 9th January, 1826.

P.S.—Will you allow me to call your attention, in your future Herald, to a more enlarged and correct report of India Promotions, Appointments, Births, Marriages, and Deaths, as also a List of Passengers going and returning. This is not certainly interesting to your readers in India; but bear in mind, that many of your friends there visit England on furlough, and rely, like myself, on the Herald for information on these subjects.

#### NOTE OF THE EDITOR.

Our Correspondent is, perhaps, hardly aware that we have a very large class of readers in England, as well as nearly the whole of those in India, to whom these details are not only devoid of interest, but who consider every additional page devoted to their insertion as so much taken from the space required for more generally interesting information. Our desire is to satisfy all parties, if that be practicable; and where that is impossible, to consult, in the words of our motto, "the greatest good of the greatest number, and that for the greatest length of time."

CRAWFURD'S MISSION TO SIAM AND COCHIN CHINA.<sup>1</sup>

AN account of this mission from the pen of Dr. Crawford himself would have been more acceptable, and no doubt more useful to the public than the work now before us; but in the absence of such account, (which is however expected in due time from that distinguished historian of Eastern affairs,) the present is highly worthy of attention. Mr. Finlayson, from whose journal it is formed, was the medical officer and naturalist of the mission—a situation for which he appears to have been well qualified. Having, shortly after its return to Bengal, been obliged to sail for Europe on account of the state of his health, he died on the passage home, and the present volume has in consequence been published under the able superintendence of Sir S. Raffles. It “does not profess” to give an account of the official proceedings of the mission “further than met the author’s observation in common with others who were present on the occasion;” and its object is to throw light on the country and character, institutions and habits, of the people generally.

It was once proposed to have added an appendix, with plates illustrative of the subjects of natural history collected during the voyage, (and which have been deposited in the Museum of the East India Company,) but the publisher objected to this plan, on account of the additional expense it would have incurred. The utility of this volume has thus been impaired by restricting it in that department wherein the author was best qualified to afford valuable information. For as to “the character, institutions, and habits of the people,” neither his previous course of study, nor opportunities of observation, seem to have fitted him much to enlighten the public. He appears to have visited these countries with almost as little knowledge of their previous history as if he had been on the first voyage of discovery which reached their shores; and while there, he and his companions were generally cooped up in their vessels, or circumscribed within very narrow bounds, by the jealousy of the people. Lastly, his situation was not such as to afford him the means of appreciating correctly the political proceedings of the mission; and Dr. Crawford’s reputation, as a diplomatist, is consequently liable to suffer not a little from the *ex parte* statements of a spectator, who, judging from a superficial view of affairs, was evidently very liable to judge erroneously.

The editor, indeed, seems fully aware of this, when, in his introduction, he remarks, that partly to avoid expense, and “partly in consequence of its being understood that Mr. Crawford, to whom the charge of the mission was intrusted, himself meditates a work on the subject,” it has been “deemed advisable not to enlarge, in this place, on the

<sup>1</sup> Mission to Siam and Cochin China, in the years 1821-2, from the Journal of the late George Finlayson, Esq., Assistant-Surgeon of his Majesty’s 8th Light Dragoons; with a Memoir of the Author by Sir Thomas Stamford Raffles, F.R.S. London, 1826.



public objects and results of the mission," &c. This forbearance has not been imitated by the 'Quarterly Review,' which, in an article on the subject, that appears to have been printed *before* the work reviewed was itself published, as both came out so nearly about the same time, does not scruple to condemn the conduct of Dr. Crawford on the strength of Mr. Finlayson's remarks on the mission. But, knowing how frequently the 'Quarterly' has allowed itself to be the vehicle of the spleen or jealousy of a rival, the public will form their own conclusions on this article. We are glad that it has appeared so early, as it affords us an opportunity, in noticing this work, of doing justice to an individual on whom the Review has attempted to throw a degree of discredit which appears to be quite undeserved.

The object of the mission was, to establish certain commercial treaties with some of the states between the British territories and China; and because the attempt proved abortive, the Reviewer boldly assumes that the failure was occasioned by want of management or dignity on the part of the envoy. We shall show, however, that the causes lay much deeper, and were of such a nature as, perhaps, no efforts or ability of Dr. Crawford, or any other individual, however highly qualified, could have overcome. The difficulties with which he had to struggle were not peculiar to his mission; they have been experienced by other British envoys for many years past at almost every court in Asia. It is of great importance, therefore, to inquire what is the true reason that our countrymen receive so unwelcome a reception from the independent sovereigns of the East?

Captain Symes, when sent on an embassy to Ava in 1795, was, with great difficulty, admitted to the honour of an audience of the Burman monarch. Among other reasons which he states for this slight thrown upon his public character, he says, that his honourable masters were represented to have "first visited India as merchants, and afterwards invaded it as usurpers;" and that the Governor-General, being a subordinate authority, could not with propriety send an embassy to an independent sovereign. This last, however, seems to have been rather a point of etiquette taken up by the court to avoid the necessity of urging the more offensive reason before mentioned. For, as provincial embassies are quite common in the East, and there was at that very time at the Burmese court a deputation from one of the provincial Governors of China, which was honoured with an audience, it could have been no solid objection to the agent of the Governor-General that he was delegated by subordinate authority. But, as a criterion of the comparative respect in which they were held, Captain Symes states, his having discovered, that at his audience, "the Chinese deputies had taken possession of those seats which, according to etiquette that had been agreed upon, the English gentlemen were to have occupied." He then intimates that this supersession of his rank by the Chinese *provincial* deputies, was meant to mark the degree of estimation in which he and his party were held; as "it was followed by circumstances which left no room to suppose that any act relating to external forms was either accidental or unpremeditated."

Among their forms, it is observable, that at court, inquiry was made regarding the King of England; but it seems to have been considered derogatory to mention even the name of the Company or their Governor; and afterwards, when the Burmese monarch's reply to the said Governor's letter was delivered to the envoy, the Burmese courtiers were so ashamed of this degree of condescension, that they could hardly be brought to utter the humiliating confession, that it was a letter from the King to the Governor-General of India.<sup>2</sup>

Captain Hiram Cox, who was sent as envoy to Ava soon after, on the part of the East India Company, was no better received; the Burmese court still retaining the notion, that his honourable employers were in the habit of approaching first in the peaceful guise of merchants, and then assuming the character of usurpers. (p. 400.) By a passage in his journal, (p. 273,) it appears that the very name of "the Company" is regarded there as so derogatory, that its own servant and representative was ashamed of it. Captain Cox says, "the term his Majesty uses to designate me is that of GOGOUNCY, or the Company; and, as he has given the same title to a scoundrel of a Musulman, who has purchased from his courtiers the exclusive privilege of trade at Rangoon, and has been practising a thousand infamous tricks there, I therefore do not mean to admit of the use of the term *Gogouncy* as a proper designation for me." The pernicious effects of this monopoly, no doubt, gave the Burman nation a just idea of the character of the English "*Gogouncy*," and may serve to show that companies, with exclusive privileges, cannot be respected in any part of the world. In Persia, it is well known, the opinion entertained of our *Gogouncy* is not more respectful; consequently, Sir John Malcolm wisely declined to place himself in the humiliating capacity of its representative at that court, where he could only have expected to meet with mortification and disappointment.

If Dr. Crawford is to be blamed, therefore, it is for accepting of the office of ambassador on the part of the Company, which he must have known exposed him to mortification and disappointment among Eastern nations. But there is this to be said in his defence, that while our Indian possessions continue to be under the present form of Government, it is the only authority from which he could expect to be delegated on such a mission. He may, therefore, justly claim some degree of praise for volunteering to encounter the odium attached to his employers, with the laudable object of extending the bounds of commerce. The Marquis of Hastings, then at the head of the Government of Bengal, could hardly have selected another individual so well qualified for the task, or one so intimately acquainted with the commercial relations of Asia. Such a person was best able to appreciate the difficulties he had to overcome, in endeavouring to restore that friendly intercourse with Europeans which had been destroyed by the misconduct of the monopoly companies. Of this mis-

<sup>2</sup> Symes's Embassy, Vol. III. p. 172.

conduct, Siam itself, to which the mission was directed, furnishes an instance which cannot be passed over.

The English, soon after their first appearance in India, settled a factory at Siam, and carried on with that country a beneficial intercourse. They soon, however, in their usual way, declared it expensive and unprofitable, and withdrew it. This was the practice of the monopolists, when they found themselves unable to extort exorbitant profits. They again re-established it, and in 1688, on some idle pretext, removed it, and declared war against the King of Siam. Their object was to oblige him to expel the English free-traders, who were at this time in great favour in the country, and even admitted to situations of high honour and trust under the Siamese Government. The sight of so much honour and prosperity enjoyed by their countrymen, filled the East India Company with the most malignant jealousy, which brought down destruction on their heads.

The Old Company, (says Hamilton,) envying their happiness, by an arbitrary command, ordered them to leave their industry and repair to Fort St. George to serve *them*, and threatened the King of Siam with a sea war if he did not deliver these English up, or force them out of his country. Capt. Weldon, one of the Company's commanders sent to Merjee with that message, behaved very insolently to the Government, and killed some of the Siamese without any just cause. One night soon after, when Weldon was ashore, the Natives collected together in hopes of avenging themselves, and doing justice on the aggressor. But Weldon, having previous intimation of their design, escaped; and, on missing him, they vented their rage and vengeance on all the English they could find. The poor victims, being only guarded by their innocence, did not so much as arm themselves to withstand the fury of the enraged mob, so that seventy-six were massacred, and hardly twenty escaped. Before that fatal time the English were so beloved and favoured at the court of Siam, that they had places of trust conferred upon them, both in the civil and military branches of the Government. Mr. Samuel White was made Shahbundar, or custom-master, at Merjee and Tanacerin, and Capt. Williams was admiral of the King's navy.

Soon after this achievement of the *Honourable* Company, which succeeded so well in getting their countrymen massacred, the King of France (Louis XIV.) attempted to subvert the independence of Siam, through the intrigues of Constantine Falcon, a Greek by birth, and a man of great talents and address, who rose from the humblest station to hold the highest offices in the state. After these examples of the misconduct of Europeans, it is by no means surprising if the Siamese should be jealous ever after of holding any intercourse with them, or suffering them to obtain a footing in the country.

Dr. Crawford has shown that it was equally necessary and highly important for the interests of commerce, to make an effort, at least, to conciliate the other ultra Gangetic nations, and remove the unfavourable impression left upon them by the unprincipled rapacity of the monopolists.

In the countries (says he) lying between Siam and China, viz., Champa, Camboja, Cochin China and Tonquin, there existed at one time an intercourse

with European nations which promised to be of the most beneficial nature. These countries are, without doubt, the most highly gifted of all the Continent of Asia, whether we consider the fertility of their soil, the variety and utility of their vegetable and mineral productions, the number and excellence of their harbours, their fine navigable rivers, and the extent of their internal navigation, with the convenience of their geographical position for an intercourse with other nations; yet they are, in point of useful intercourse, as little known to the great commercial nations of Europe at the present moment, as if they were situated in another planet. Down to the close of the seventeenth century, the Dutch, French and English, maintained a busy intercourse with them, which was discontinued from the usual causes. There existed no means of getting the productions of the country from its intelligent and industrious inhabitants, under their natural prices, or selling foreign wares to them at more than they were worth, and without such aid the costly traffic of joint stock companies could not be conducted.

With these considerations before us, while we cannot be surprised that the present mission encountered serious obstacles, we must admit that the attempt to remove them, however unsuccessful, was highly honourable to its projectors. The party, consisting of Dr. Crawford, agent for the Governor-General; Captain Dangerfield, his assistant; Lieut. Rutherford, engineer; and Mr. Finlayson, physician and naturalist, with their suite, embarked at Fort William on the 21st of November 1821. On the 11th of next month, they came to anchor in the harbour of Penang; of which island we have a magnificent description. Its natural beauty, according to Mr. Finlayson, is rivalled only by the industry of the inhabitants:

Industry, active, useful, manly and independent, seemed here to have found a congenial soil and fostering care. The indolent air of the Asiatic was thrown aside. Every arm laboured to produce some useful object, and every countenance, teeming with animation, seemed, as it were, directed to a set task. With the air they had lost even the slender form of the Asiatic; and the limbs and muscularity and symmetry were those of a more energetic race. These were Chinese; a people highly valuable as settlers, by reason of their industrious and very regular habits; who had established, on this spot, the mechanical arts, on a scale which might even vie with that of European artists, but which we should look for in vain in any other part of India.

He then proceeds to describe the superior neatness and comfort of their habitations, and points out the advantage derived by the Government from these sober and industrious colonists. They are said to be very coarse feeders, and so fond of rich food, that dogs, if in good condition, are somewhat in danger from them. All the best meat and fish, and, more particularly, pork and ducks, the favourite food of the grave disciples of Confucius, are, at this place, the portion of the Chinese. In their hands, almost exclusively, is the cultivation of the pepper, which is one of the principal productions of the island.—The nutmeg is said to be “next in importance,” but it has taken “upwards of twenty years to give an earnest of success, and no exportation of this article has taken place, though of the trees in the island, amounting to one hundred and fifty thousand, one-third was in a condition to bear fruit.” The produce of a single tree being

rated (p. 29) at one thousand nuts annually, we wish the author or editor had explained how it had happened that fifty millions of nuts a year did not exceed the consumption of so small an island, so as to afford some for exportation. The clove and coffee plant are also cultivated; and the prince of tropic fruits, the mangosteen, is here found in great perfection.

Sailing again from Penang, on the first day of the year, they arrived at Malacca on the 14th of January 1822. This settlement, then in the hands of the Dutch, appears to have presented a sad contrast with the thriving activity of Prince of Wales' Island. Here five or six vessels, at the utmost, lay scattered and straggling in an extensive bay; there, hundreds of ships, of all descriptions, sizes and nations, were seen crowded together. In Malacca, every third house was shut up, and appeared to be abandoned. The streets were solitary and deserted. Even the Chinese, of whom but few remained, seemed here to have forsaken their habits of industry. The place, with great natural advantages, and formerly, we are told, "famous as a commercial emporium, under its native sovereign," and which continued to be equally flourishing under the liberal system of trade and colonization followed by the Portuguese, has now been reduced to this miserable condition by the policy of the Dutch. Trade and agriculture have equally gone to ruin; so that it does not produce sufficient rice to support the inhabitants. This the author attributes partly to the existence of slavery among them, as the true cause which, wherever it exists, "forcibly operates to check the cultivation of the more valuable products of human industry." As usual, where the natural stimulus to labour is taken away by robbing man of the power of bettering his own condition, the people are accused of incurable indolence; and to this cause, (or rather *effect*,) the Dutch ascribed that general public decay which was really the effect of their own wretched system of rule.

The best proof of this is the happy contrast presented by the rapid growth and flourishing condition of the settlement of Singapore, where the embassy next touched. Our author adds his warm testimony to the general voice in favour of the happy situation of this settlement. We have the satisfaction of being able to quote also the orthodox authority of the 'Quarterly Review,' in favour of this signal example of the blessings of free trade and colonization:

The island of Singapore, (says the Reviewer,) has the honour of being the first colony in modern times, (perhaps in ancient also,) in which the principle of free trade has been declared; and if any example were wanting to prove the policy of a liberal system with regard to commerce, we should say look at the history of Singapore. . . . Sir Stamford Raffles took possession of the island, and, under a treaty concluded with the Chief, hoisted the British flag on the 6th of February 1819. His first act was to declare "the port of Singapore a free port, and the trade thereof open to ships and vessels of every nation, free of duty, equally and alike to all." Now mark the result.

In the course of three month's possession, the population increased from one hundred and fifty to three thousand, and in the first year to above five

thousand; two years afterwards to ten thousand. In 1824, by a census not very accurately taken, it had risen to thirteen thousand, besides itinerants to the amount of three thousand; and, in 1825, it was computed that the population had increased to at least fifteen thousand souls, besides upwards of three thousand Chinese, who, about the middle of the year, had arrived as settlers, in six large junks. By the latest accounts, it appears that capital was daily flowing in; that ten or twelve respectable mercantile houses had been established by Europeans, and as many by Chinese, Arabians, Indians, Arminians, &c. But that the principal part of the trade and manufactures, as well as of the agriculture of the island, was in the hands of the Chinese, who also composed a large proportion of the population. That ship-building had commenced; that the banks of the river would admit of 500 ton vessels being launched, and that an active commerce in teak timber was springing up with Siam. By an estimated value of the trade of Singapore, kept in the master attendant's office, it has increased as follows:

In 1822, value of exports and imports	-	8,568,172	Dollars.
1823, Do.	- - - - -	13,268,397	—
1824, Do.	- - - - -	15,000,000	—
1825, estimated at not less than	- - - - -	20,000,000	—

After stating that this place was thus rapidly becoming the great emporium of the commerce of the East, owing not so much to its favourable locality, though that is excellent, as to the establishment in good faith of the principle of free trade; a simple provisional administration of justice, dispensed without delay; a strict and efficient police, and a judicious system of granting and registering lands, (that is, Colonization;) to which may be added, as most important, a large and liberal institution for the education of youth of whatever country or religion, the Review observes, "Thus commerce and civilization, religion and morality, are likely to go hand in hand in this rising settlement, where the picture of ancient Tyre, so beautifully painted by Fenelon, is likely to be actually realized." But, unfortunately, the same influence which formerly caused the massacre of the English in Siam, now clouds this fair prospect with future danger. After stating that gambling and cockfighting, abolished by the founder of the settlement, are said to have been again licensed by its present Governor, Mr. Crawford, the Review adds—

We have heard also, and with more alarm, of a plan for annexing the Government of Singapore to that of Prince of Wales' Island. We know the disgraceful conduct pursued by the persons in authority in that island, who not only laboured to thwart the views of Sir Stamford Raffles, but even united with the Dutch at Malacca, and encouraged them to throw every obstacle in the way of the establishment of Singapore, because its prosperity might appear to be injurious to their own island. Every species of misrepresentation may, therefore, be expected from that quarter; but we cannot believe that the Court of Directors will lightly consign to ruin, by a single dash of the pen, a new settlement so important, and so unprecedently rapid in its prosperous growth as that of Singapore: we say ruin, because once disturb the system on which it is founded, and to which we are pledged in good faith,—once add the dogs and the fetters that beset the commerce of Prince of Wales' Island,—establish duties, with all the vexations and impositions of a Native custom-house, and we venture to pronounce that

the ruin of Singapore will be as certain, as complete and as rapid, as has been its extraordinary rise.

And so perish every asylum of free trade which raises its head in the neighbourhood of the dark dungeons of monopoly, to put our antient system to shame! That this is the secret prayer of both the Dutch and the English monopolists, is but too plain, from the confederacy above mentioned between the former and our loving countrymen at Penang. But we firmly believe that, however much the Directors may desire to second these zealous efforts of their servants, they dare not so grossly sacrifice to their private views the interests of their country, knowing that, in a very few years, they must be called upon by the British Parliament to render an account of their stewardship. Another reason urged by the Reviewer for cherishing and protecting this colony, may be a very good *argumentum ad hominem* for any one who is a believer in the advantages of monopoly. It is as follows:

We have seen, more than once, our intercourse with China exposed to extreme hazard, and it seems far from improbable that it may one day cease altogether; for when the Company's charter shall expire, the monopoly of this trade, we presume, will expire also: numbers will then flock in to supply its place, and the greater the concourse of shipping, without any European residents to be responsible for the conduct of their crews, the greater will be the fears and jealousies of this timid Government, and the more frequent the quarrels with the Natives. The Company's servants, by their steady conduct, and sometimes, perhaps, by a little bribery, through the management of the hong merchants, have hitherto been able to silence complaints; but private merchants cannot be expected to do this, nor to keep the crews of their shipping in such peaceable order as is preserved by the few which now frequent Canton. The probable result will be, that the Chinese will put their often-repeated threats into execution, and shut the ports of their country against us. In such an event, the island of Singapore would be of invaluable importance, by becoming what it has already begun to be, the depôt of the China trade, where the supply of tea would be as great, as good, and as cheap, as at Canton; we should say cheaper, as the extortions and heavy duties of Canton would be avoided, the Company's establishment become unnecessary, and the voyage out and home shortened two months.

This must be admitted to be a most effectual remedy for any apprehensions that any one might entertain respecting the consequences of a cessation of direct intercourse with China. By this means, the monopolists are driven from their last retreat; as, supposing such apprehensions to be well founded, even this ground is now cut completely from under their feet. The trade with China, simply by the aid of the principle of free trade admitted in one small island, is placed upon a rock which no accident can shake. But it is a mischievous delusion to suppose that the extension of this salutary principle to China itself would, instead of extending its benefits, have a contrary tendency. This is surely blowing hot and cold with the same breath. The truth is, that the intercourse with China has been repeatedly endangered, *not* by the free trade, but by the conduct of

the monopolists themselves ! It is the monopoly-trade, a nuisance in every part of the world, which the Chinese have so often threatened to expel from their dominions. But we do not hear that they have any desire to banish from their shores the American free-traders, whose vessels trading to China are, we have good reason to believe, now more numerous by one half than those of our East India Company. It was the monopolists, in like manner, who caused the dreadful extermination of the Europeans in Japan, and lost to Europe the most valuable part of the trade of the East. So much detested did they render themselves, that the servants of the English Company were once obliged to disown altogether their honourable masters, and pretend they were free-traders, in order to obtain permission to traffic. So that, taking experience for our guide, nothing, in fact, is so well calculated to place the China trade on a secure foundation, as the removal of the monopoly, and the admission of our own free-traders to the same privileges so happily enjoyed by the Americans. In proof of this, we cannot resist the temptation to make the following extract from Dr. Crawford's work :

The first appearance of an Anglo-American trader in the ports of India, in the year 1784, is the true era of the commencement of the fair and legitimate commerce between India and the civilized nations of the West. The period of nearly three centuries which preceded that event, may truly be described as a period of delusion, in which the nations of Europe, to their own loss, were pursuing a mischievous phantom. During all the time of the American trade, it has never connected itself with any political concerns of the natives, never embroiled itself in their quarrels, nor has any American ship ever been cut off by the rudest tribe they have dealt with. In the very vicinage of our powerful establishments, they are now pushing their enterprises in situations that we have neglected for more than a century, and by their conciliatory conduct, retrieving that character which their progenitors had lost. If it should be objected, that a period of thirty-six years does not afford us sufficient time to judge of the moderation of the Americans, [*i.e.* the free-traders,] and of the success of their mode of carrying on the Indian trade, its immeasurable advantage over the *monopoly* system may, at all events, be proved, when it is remembered that the Dutch and English [monopolists] had been little more than half this time engaged in the same trade, when they had already quarrelled with and insulted every maritime power in the Indies, invaded and plundered those who had received them hospitably, quarrelled with and massacred one another !!!

To return from this digression to the progress of the embassy. On the 14th of March they landed on the island Fukok, or Paukok, a large island on the coast of Cambodia, the first point they touched of the Cochin Chinese dominions :

On reaching the shore, about six or seven men, armed with spears, came down from the village, used threatening attitudes towards the party in the first boat, and appeared desirous of opposing our landing. Captain McDonnell, however, leaving his arms behind, leapt on shore, and went up to them with the greatest confidence, showing them, at the same time, that he had no hostile intention towards them. Astonished at his boldness, or doubting of their own valour, they immediately changed their line of conduct, and appeared to welcome him with sincerity.



These happened to be natives of China ; and the good understanding between them and the strangers excited the jealousy of the native Cochín Chinese, who were, however, extremely polite, and offered their guests betel and pipes of tobacco. They had in their houses abundance of agila wood, which is here a royal monopoly. This wood, on account of its aromatic qualities, being ground into a powder, is in the form of a paste, plastered upon reeds, which are burnt in the temples for the sake of the perfume they give out when lighted. These reeds are known in English by the appellation of joss-sticks ; “ yet,” says Mr. Finlayson, “ we looked in vain for any image of this deity. Here and there, however, in the front of the houses, small wooden cells, raised on poles, were to be seen abundantly provided with joss-sticks.”

On the 21st of March they anchored in the *harbour* of Siam ; and having next day sent on shore for a pilot, they understood that a reference was made to Bangkok, the capital. On the 25th, they endeavoured to pass the bar at the mouth of the river, on which, however, they grounded for a few hours ; but by the help of the flood they got off, and in the evening anchored opposite the town of Paknam. Early next morning, a man, dressed “ somewhat in the style of a European sailor,” came off, and stated that he had been sent from Bangkok to act as interpreter, and to accompany them to the capital. This man (says our author) was “ one of that degraded, but self-important class of society, well known in India under the general title of Portuguese ; a title to which a hat, and one or two other articles of clothing in the European fashion, would seem to give every *black* man, every *half-caste*, and every *Native*, an indisputed claim.” It would be more correct to say, that it is a general designation for Native Christians, particularly of the Roman Catholic persuasion. But though travellers should be distinguished by liberality, this traveller had not yet risen above the foible of speaking contemptuously of a person because he was “ black,” or “ a Native,” or “ a half-caste.” On account of these accidents of colour and country and birth, which God and nature, or his parents, gave him, without any crime of his, he must be classed as “ a degraded being”—a Pariah—with whom it is disgraceful for a *white* gentleman to hold any communication. We blush to see one of our *great* critical journals,—one of the eyes of British literature,—darkened and disgraced, by adopting this prejudice with fresh exaggerations of its own. After having appropriated to itself the very words of Mr. Finlayson, above quoted, the ‘ Quarterly Review ’ adds : “ With this wretched creature” [the *black, half-caste, Native* wretch !] Mr. Crawford not only communicated on the general business of his mission, but condescended to negotiate respecting the ceremony to be performed on presenting his credentials to the monarch of Siam.” Where the reviewer obtained this information, we cannot pretend to guess ; but it is directly contradicted by Mr. Finlayson’s journal, in which he says : “ Very little notice was taken of, and *no* direct communication held with, the interpreter.”

The gentlemen of the mission immediately began to complain that they did not receive sufficient attention, as no person of importance visited them; and they were also called upon to land their guns before being allowed to proceed up the river, though a Portuguese frigate lying there was exempted from this mark of jealousy or disrespect. This special indulgence from the Court in favour of the Portuguese, is only one of many proofs we meet of the influence and favour they have preserved among the nations where they antiently traded and colonized. Had the English settlers in Siam, or other countries of the East, been tolerated by the Company, our flag would not now be in danger of being humbled under that of Portugal in these ports.

The next person (named Kochai Sahac) presented to the mission as an interpreter, is no greater a favourite with the author. He is described first as a "Malay," then as not to be distinguished in appearance from the sect of Mohammedans called "Mopla," so numerous on the coast of Coromandel, Ceylon, and Malabar, usually termed "Moormen." Besides the misfortune of his caste, his physiognomy was decidedly bad, and he is said to have afterwards, in transacting the affairs of the mission, proved himself unworthy of confidence. But this part of his character was not discovered till too late. This personage (sometimes called "Malay," sometimes "Moorman," perhaps as being a title thought more disgraceful,) having brought intimation that the mission might proceed to the capital, on the 29th of March they came to an anchor opposite the middle of the town. They were first visited by two children, the son and nephew of the minister, who conducts all affairs with European nations: they came on board to see the vessel, and were richly attired with ornaments of gold and precious stones. In the evening, a minister, of inferior rank to the one just mentioned, came to receive the letter of the Governor-General. "He had brought with him a handsome gold cup for its reception, on which the letter, wrapt in gold tissue, was placed in his presence. On his expressing a wish to depart, Mr. Crawford took up the cup and raising it to his head, proceeded with it through a double line of sepoys with presented arms, drawn out for the occasion, to the gangway, from which he handed it down to one of the gentlemen of the mission placed in the chief's boat to receive it. The latter delivered it to the chief, who placed it *negligently* on a piece of *old* carpet on which he sat." Should he have carried the sacred document on his head, as the "faithful" swear by the Koran?

One of the ministers offered the mission the accommodation of a house during their stay at Bangkok; but it is described as being very inferior and uncomfortable, and so secluded behind his own, as to be cut off from free communication with the Court. No person of rank having yet waited on the Agent for the Governor-General, and all communication being carried on through the Malay Kochai Sahac, he, before the ship had been secured, came with a message from the mean and avaricious Court to demand the presents for the king, &c.

Their first object was to procure an English horse, originally intended as a present for the king of Cochin China. It would seem that they were much pleased with this gift, and indeed they were struck with astonishment at the great value of the presents in general, and hence they could but ill conceal their joy on the occasion, and that they had been little accustomed to receive gifts of such value. Unlike the more civilized states of further India, the Siamese Court, in the urgency and frequency of its demands, betrayed a degree of meanness and avidity in this matter at once disgusting and disgraceful. For several successive days, there was no end to their importunities. The most valuable, as well as the most trifling articles, were taken away without the least ceremony, and intrusted to the Moorman and a few common labourers. The articles, as they came up, with the exception of the horse, consisting of superfine cloth, English shawls, muslins, glass ware, muskets, and a small barouche, were taken to the minister's house, where they underwent a severe scrutiny.

The Siamese Court showed little gratitude or liberality in return for those costly gifts, to the gentlemen of the mission, who received not even a present of fruit, and were kept a sort of prisoners, according to the etiquette of Eastern courts, which forbids ambassadors to communicate freely with the people until the ceremony of their public introduction should be over. In the evening, however, Mr. Crawford, accompanied by Captain Dangerfield, paid a visit, by invitation, to the minister, and they were well pleased with their reception. The manner in which the minister treated his servants, is a picture of Eastern despotism brought to the highest degree of perfection. Mr. Finlayson says:

The servility which the attendants of this man observed towards him, appears to have been quite disgusting, and almost degrading to humanity. During the whole of the visit they lay prostrate on the earth before him, and at a distance. When addressed, they did not dare to cast their eyes towards him, but raising the head a little, and touching the forehead with both hands united in the manner by which we would express the most earnest supplication, their looks still directed to the ground, they whispered an answer in the most humiliating tone. The manner in which he was approached by the servants of his household was even still more revolting to nature. When refreshments were ordered, they crawled forward on all fours, supported on the elbow and toes, the body being dragged on the ground. In this manner they pushed the dishes before them from time to time, in the best manner that their constrained and beast-like attitude would admit, until they had put them into their place, when they retreated backwards in the same grovelling manner, but without turning round.

Yet this haughty chief was himself but a minister of the fifth order in importance, doomed to take his turn of beast-like grovelling, as was subsequently exhibited on visiting Chromachit, son to the king. Every man here is doomed to crawl on the earth before his superior.

The visit alluded to was paid by Mr. Crawford, a few days after, to this Prince Chromachit, who was the natural son of the king. We may remark, in passing, that Mr. Finlayson had evidently a strong tendency to represent the reception of the mission in colours too unfavourable. For he afterwards (p. 200) speaks of this Prince as but "fourth in point of rank," and "*erroneously* considered to be first and even heir to the throne." Consequently, he would have us be-

lieve it was no honour at all to visit or do business with him, but rather disreputable to the envoy. Chromachit, however, has since succeeded to the throne, and was then a person of very great influence at Court, having almost the whole administration of affairs in his hands. After various interviews and communications with the ministers, the forms to be observed at the presentation of the embassy at Court was at last settled :

We were to take off our shoes at the door of the hall of audience ; when we had entered, we were to take off our hats, and making a bow in the English manner, we were to advance to the seats appointed for us, and there sitting down, with the legs bent backwards and under us, but a little to one side, we were to make three salutations with the hands united before the face, touching the forehead each time.

Early in the morning of the 8th of April, they prepared themselves to go through these ceremonies, and proceeded on shore in two boats, provided by the Siamese Court, manned with decrepit old men and boys ; their own guard of thirty sepoys preceding them in the ship's long-boat, to receive the Agent for the Governor-General at the landing place near the palace. In the larger of the boats, occupied by Mr. Crawford and his suite, they found two Portuguese who had been born in the country ; one of whom, a respectable looking man, observing that Mr. Finlayson spoke the Portuguese tongue very imperfectly, addressed him, to his great surprise, in the Latin language. He was still more surprised at the idiomatic purity with which this learned language was spoken by a person born and wholly educated in Siam, where he had received his education in the Catholic seminary.

On landing they found a great crowd of people collected, who received them with much, but "not respectful," curiosity. Some laughed immoderately, and others covered their faces to conceal mirth which might be considered rude by their strange visitors. They were then slung into palanquins, which consisted merely of a netting like a sailor's hammock, suspended from a pole ; and their awkward attempts to balance themselves and avoid tumbling out, excited fresh merriment among the rude multitude. At the inner gate of the palace they had to dismount, lay aside their swords, and also leave behind their guard of sepoys. From thence, headed by Kochai Sahac and two other Moormen of the same caste, they proceeded about one hundred yards on a paved road to the front of a large open building, where six or eight elephants were drawn up at regular distances, mounted by men dressed in a quaint costume. While detained in this anti-chamber, they were treated with betel and tobacco sprouts ; and they thence proceeded on between two files of Siamese soldiers, of most awkward unsoldier-like appearance, of all ages, with slouched hats like engine-men, and muskets without flints, shouldered, some on one side, some on the other. At the inner gate they put off their shoes, and leaving their attendants behind them, they proceeded on between two rows of musicians, amid the

sound of pipes and tomtoms, till suddenly, on turning the corner of a Chinese screen, they found themselves in the presence of majesty :

A more curious, more extraordinary, or more impressive sight, has perhaps rarely been witnessed than that on which we now gazed, with mingled feelings of regret (I should say of indignation) and of wonder : of wonder excited by the display of taste, elegance and richness in the decorations ; of regret, or of indignation, caused by the debased condition of a whole nation. Such a scene was well calculated to take a firm hold on the imagination. I shall, however, endeavour to describe it in its true colours, and with the least possible aid from that faculty. The hall was lofty, wide, and well aired, and appeared to be about sixty or eighty feet in length, and of proportionate breadth. The ceiling and walls were painted with various colours, chiefly in the form of wreaths and festoons ; the roof was supported by wooden pillars, ten on each side, painted spirally red and dark green.

The curtain placed before the throne was drawn aside as we entered. The whole multitude present lay prostrate on the earth, their mouths almost touching the ground ; not a body or limb was observed to move, not an eye was directed towards us, not a whisper agitated the solemn and still air. It was the attitude, the silence, the solemnity of a multitude simultaneously addressing the great God of the universe, rather than the homage of even an enslaved people. Not even Rome, fertile in a race of tyrants, nor Dionysius himself, ever produced any degradation to compare with this in ignominy.

In an arched niche, raised about twelve feet above the floor, and half obscured, sat enthroned the monarch of Siam, exactly like an image of Buddha, for the adoration of the multitude. The gentlemen of the mission were desired to advance in a stooping posture, and on reaching the place assigned them to sit, performed the salutations agreed on. The solemn silence of the scene was first broken by the reading of the Governor-General's letter ; and then the King addressed some questions to Mr. Crawford, in a firm though not loud voice, which were conveyed in whispers from mouth to mouth till they reached the interpreter, Kochai Sahac, who in turn whispered them in a very low tone to the Agent of the Governor-General, placed behind him. The questions are said to have been of a general nature ; and after the audience had continued about twenty minutes, his majesty rose to depart, when the curtain which veiled the throne was immediately drawn, on which all the courtiers raised a loud shout, and changed their prostrate position to a sitting attitude.

The gentlemen of the mission were then conducted bare-footed through the mud (as it had rained) to see the strange sights of the palace, the most remarkable of which were the famous white elephants, considered in the East an appendage of royalty. There were at that time no fewer than five ; and Mr. Finlayson hence infers that this variety of them is not so rare as has been supposed. They are, in his opinion, analogous to albinos in the human species ; but he remarked that the organ of sight was to all appearance natural and sound, not intolerant of light, as might have been expected. A greater object

of curiosity with him was a fine "mottled" elephant, covered all over with black spots, about the size of a pea, upon a white ground. This realizes the title sometimes assumed by the Golden Emperor, of "lord of the white and mottled elephants." But here the white is most prized: he who discovers one is regarded as the most fortunate of mortals; he is rewarded with a crown of silver, and with a grant of land equal in extent to the space of country through which the elephant's cry may be heard. The event constitutes an era in their annals; and the family of the fortunate finder is exempted from all kinds of servitude and land-tax to the third generation. They saw also two white monkies, perfect albinos in every respect, which had a most disgusting resemblance to the human species. These are only valued as being supposed to preserve their companions, the white elephants, from the influence of evil spirits.

Having gratified their curiosity, they partook of a plentiful dessert prepared for them, but perceived that those left to entertain them were of mean condition, and they were surrounded by a jeering rabble, as if, says the author, the Court had said, "see them fed." Upon the whole, it appeared that they were received and looked upon as a second-rate provincial mission, which was placed beyond a doubt by the statement of Kochai Sahac, and the arrival soon after of a mission from Cochun China, which our countrymen had the mortification of seeing treated with far greater distinction. "Notwithstanding this marked disrespect, we had abundant reason to believe (says the author) that well-informed persons about the Government were not ignorant of the vast power, the extensive dominions, and the *unparalleled equity* of the (Company's) Government"! If so, these "well-informed" Siamese know much more than the people of England. But as a proof of the ignorance of the Siamese Government, he mentions that the King and his ministers monopolize the trade in all articles of consequence; and "have yet to learn that they can fill their treasury with less risk, less trouble, and more credit, from the industry and fair profits of their subjects." Will they learn this from the "unparalleled equity" of the rulers of British India, who are the greatest monopolists in the world?

The King seemed at first to have had no objection to the propositions of Dr. Crawford, and agreed to lower the duties charged on imports two per cent. This was soon put to the test by the arrival of an English vessel; but it was found that the ordinary policy was still continued of demanding for the King and ministers the privilege of purchasing what they choose at their own prices, before the captain is permitted to trade with others. As no one else could venture then to offer a higher price till the Court were satisfied, they hoped to weary out the trader by delay till he came into their own terms. It appears that Dr. Crawford was not able to induce them to abandon this ruinous system; but a promise was given, that the reduction of the duties would take place in about two years, if the English should send five ships annually. This, in fact, was all that was granted in favour of commerce; for though Dr. Crawford had drawn up a treaty of

thirty-nine articles, which were at first listened to with great attention, after being duly discussed, they were all thrown successively aside, till no concession whatever in favour of trade remained. This failure of the objects of the mission is attributed partly to the ignorance of the Government of the advantages of free commercial intercourse, partly to the intrigues and unworthy conduct of Kochai Sahac, the interpreter, whose worthless character was not understood till too late. But we are convinced all this backwardness on the part of the Siamese Court may, with more justice, be traced to the treatment formerly experienced from the agents of the Company here and elsewhere ; which makes this and other ultra-Gangetic nations so jealous of Europeans in general. Let them only have a taste of the advantages of free trade, and then we may rely upon their seeing the propriety of opening their ports liberally, although they now treat the servants of the monopolists with such marked aversion.

Some time after the audience of the King, Mr. Crawfurd went by invitation to visit Prince Cromachit, who, though the hour had been appointed by himself, kept the Agent for the Governor-General waiting two hours before he got admittance, among a number of "dirty ill-bred slaves of attendants." Innumerable slights of a similar nature were experienced : the affairs of the mission were left to be conducted by persons destitute of character, authority, or rank ; and at last it was suffered to depart without the honour of an audience of leave. The King of Siam did not condescend to return a written answer to the Governor-General of British India. This duty was first delegated to the Pra-klang, or chief of the place, and he not being low enough, it was next turned over to his assistant, Pya-pee-pat-Rosa. To this was added a letter from a more inferior person still, Pya-chulah, the "head Chulah or Moorman" of the place, and an under-collector of the customs, to Mr. Crawfurd himself. The purport of both was, that British vessels might at all times visit the Siamese ports on complying with the usual rules, landing their guns and small-arms at Bangkok, paying the usual import and export duties and port charges ; but nothing was said of privileges or freedom of commerce, or even of reduction of duties.

On leaving Bangkok, which they did without any regret, the mission proceeded on its final destination to Cochin China. In going down the bay they came to at the Sechang Islands, where they were much pleased with the hospitality of the rude inhabitants. A plantain, a yam, and a few pepper-corns, were all they possessed, yet they gave it readily without any expectation of return. So that, as it often happens in other countries, the humblest of the people were, in their virtues and manners, superior to the Siamese courtiers and the polished, or rather corrupted, inhabitants of the capital, who are described as destitute of that politeness and courtly ease which usually distinguishes the natives of the East.

After touching at some other islands, the vessel which conveyed the mission came to an anchor on the coast of Cambodia. The Chief of Kandyu paid them a visit on board, and took charge of an official

despatch to the Governor of Lower Cochin China, who resides at Saigon. The manners of the people here contrasted strongly with those of the Siamese. Instead of rudeness and insult, they now experienced every courtesy and kindness. "The manners of the people were polite," says Mr. Finlayson, "I should say refined; they were kind, attentive, and obliging." They are lower in stature than the Malays and Siamese, and have, in their features, an evident affinity to the Tartar race, but less so than these latter. They are not unusually corpulent, but the females more so than the other sex. They are remarkably fair, and well proportioned; agreeable and lively in their manners; in a word, "the gayest of Orientals." A Mandarin of rank was soon despatched from Saigon, the seat of the provincial Governor, to wait upon the Agent of the Governor-General, and invite him to the city. He and two other gentlemen of the mission went, accordingly, in an elegant barge provided for them. They found the city of great extent, stretching several miles along the banks of the river; the houses large and comfortable; the streets spacious and well aired. Soon after they arrived at Saigon, two Mandarins of justice came to wait upon the Agent to the Governor-General, who received them in front of the temple of Fo; for here religion pervades every part, and church and state are inseparably united. The Mandarins, little men on the wrong side of fifty, dressed in black silk robes and black turbans, and of easy and affable manners, asked, among other things, whether the letter brought by the mission was from the Governor-General of Bengal, or from the King of England, and displayed the greatest curiosity to know whether the mission came to their country with friendly or hostile intentions. Their alarm on this point being set at rest, the conference continued for six hours, almost all occupied on matters of business. In the evening, the gentlemen of the mission were visited by a M. Diard, a learned and intelligent French naturalist, who, after prosecuting his scientific inquiries among the Indian islands, had been about a year in Cochin China, with the same object. At another interview with the Mandarins, they insisted that the letter of the Governor-General, as well as Mr. Crawford's credentials, should be delivered to them, for the purpose of being inspected, and a report on the subject of the mission forwarded to Court. This was now conceded to them, although the same request had been refused at the first interview. The letter being presented, it was late in the evening before the cautious Mandarins could be made to understand the subject of it, or the nature of the Governor-General's proposals regarding commerce. At the subsequent interview with the Governor, by whom they were well received, he appeared more ready in comprehending the objects of the mission, to which he was favourably inclined; but he demurred as to the authority from which it was sent. Having observed that it was customary for kings only to write to kings, he added, "How then can the Governor-General of Bengal address a letter to the King of Cochin China?"

As a proof of the superiority of this race to their neighbours, the



Siamese, it may be mentioned that, instead of the grovelling humiliation of the former, the Mandarins seemed quite at their ease in the presence of the Governor, exhibiting neither fear nor awe of any kind. Towards the close of the audience, M. Diard came in and took his seat beside them, dressed in the style of a Mandarin, and we afterwards find two of his countrymen holding that rank at the capital.

On the arrival of the mission at the bay of Turon, they were well received by the Mandarins as well as the people; but they soon met with a grievous disappointment. The barges sent down the river to convey them to the capital would not contain more than ten or fifteen persons; in consequence of which, Captain Dangerfield, the assistant to the Agent of the Governor-General, was left behind. The object of the Court of Cochin China in thus curtailing the number of Mr. Crawford's suite, is supposed to have been a desire that the mission might make a more humble appearance, suitable to the supposed dignity of the authority they represented. Besides the limited accommodation afforded by the two barges, the Mandarin of boats insisted on keeping the best for himself; and when they came to take possession of their "hut," they found it barely sufficient for two to squeeze into it, side by side, in a recumbent posture. In this miserable box they crossed part of the Bay of Turon, liable to be tempestuous at that period of the year, now the end of September, and then proceeded up the river to Hué, the capital of Cochin China.

The entrance of the river is commanded by a small but remarkably neat fort, constructed on the left bank, with a rampart surrounded by a stone wall, and the guns mounted *en barbet*. The walls were almost covered with soldiers, armed with muskets and lances. These troops, compared with those of the Native Princes of India, or of the King of Siam, make a very respectable appearance. Though short in stature, they are of robust form, and their dress, which is admirably adapted to the climate, has a very smart military appearance. It consists of a conical helmet of lacquered basket-work, strong, light, and water-proof, worn over the turban, and sometimes adorned with a plume of red horse-hair and feathers. The body is covered with a loose jacket of coarse red cloth, with a close collar, fastened in front by loops, or small buttons, descending to the knee, and turned up with blue or yellow. A pair of wide trousers, scarcely reaching below the knee, and made of coarse red or white silk, completes the dress. Their muskets, which appear to be of French manufacture, are furnished with a bayonet like ours, but considerably lighter, and they appear to take better care of their arms than even European soldiers. In addition to their cartridge-box, they are all equipped with two small sticks, by striking which together every half hour, the sentinels give notice of their vigilance, instead of passing the word, as with us.

The Governor-General's letter, with Portuguese and Chinese translations, the latter by the Serampore missionaries, was submitted, at the request of the Mandarin of elephants, for his inspection, that he might see it was proper to be laid before the King. It was returned with this objection, that "the Governor-General wrote as if he had

been writing to an equal." The requisite amendments in style were made; after which this Mandarin desired an interview with Mr. Crawford. He and Mr. Finlayson proceeded to his residence, partly along the river, and partly by the spacious canal which adorns the city. They had thus an opportunity of viewing the extensive fortifications of the city, constructed under the direction of French engineers, and by some compared to Fort William :

The fortifications of this place are, without question, of a most extraordinary nature, whether considered in the magnitude of extent, the boldness of design, the perseverance in execution, or the strength they display. The fort appears to be built with the greatest regularity, and according to the principles of European fortification. It is of quadrangular form ; each side appeared to us to be at least a mile and a half in length. The rampart is about thirty feet high, and cased with brick and mortar. The bastions project but little, contain from five to eight embrasures, and are placed at a great distance from each other. The walls are in excellent order. We could not distinctly see whether there was a ditch at the foot of the wall, but were told that there is. The glacis extends to the canal, and is about 200 yards in breadth. In many parts it is rather higher on the banks of the canal than towards the fort, but is everywhere commanded by the latter. Numerous sheds for boats, and for other purposes, are erected on the glacis.

On landing from their boat to approach the Mandarin's residence, they met the two French Mandarins, Messrs. Vanuier and Chaigneaux, who entered the house along with them. " They were dressed in silk robes, in the Cochin Chinese fashion, and were both of them fine-looking old men of an amiable expression of countenance. The former had served in the American war, and appeared to be about sixty-five years of age ; the latter somewhat younger. They both left France at the breaking out of the Revolution, and devoted themselves to the service of the late King of Cochin China, who raised them to the rank they held. They had been the companions of the late King in his misfortunes, as well as in his prosperity, and were the last survivors of twenty Frenchmen who had been in his service."

At the interview which followed, the Mandarin asked if any thing else was to be communicated than what was contained in the letter to the King ? To which Mr. Crawford replied, there was only a few words on commercial matters. The Mandarin desired he might now enter upon whatever he had to propose. Mr. Crawford then said, that what he chiefly required was, that permission might be granted to British ships to trade to the ports of Cochin China ; and that instructions might be delivered to him respecting the duties demanded, and the rules of commercial intercourse to be observed. The Mandarin answered, that the ports of Cochin China were open to all nations ; that the duties had lately been much diminished, and that he would furnish a table of them. With this answer Mr. Crawford expressed himself satisfied, and every thing wore a fair aspect. But the subject of the damaged muskets, sent from Madras by Messrs. Abbott and Maitland, was brought forward by M. Chaigneaux, evidently, it is said, " with no good intention." When the subject of an audience of the King was then mentioned, the Mandarin intimated

that, as the business of the mission was wholly of a commercial nature, no audience was necessary. Mr. Crawford observed, that commerce was not the sole object either of the Governor-General's letter or of the mission. The object was, to cement the bonds of friendship between the two states. He also mentioned, that Mr. Roberts, when sent to that court as envoy of a former Governor-General, in 1804, had received an audience. The first Mandarin denied this; M. Chaigneaux said he knew nothing of the matter; and M. Vannier would neither assent nor deny, but remained silent. They then urged, that that was a time of war and confusion, when the court etiquette was not rigidly observed, but since then it had much changed. It was afterwards intimated, that as the ceremony of being presented at Court gave the Mandarins the trouble of putting on their full court-dresses, and was "a great ceremony," it was reserved for the envoys of kings; "that had Mr. Crawford come from the King of England, he would have been presented; but, at present, it was as if the Governor of Saigon sent an envoy to a monarch." A similar envoy had, however, been received in 1804, which certainly shows that the etiquette of the Court is changed, in respect, at least, to the "Honourable Company," whose character the French Mandarins may, since that period, have rendered much better understood. The genius of the French settlers appears, indeed, to have wrought a wonderful improvement in Cochin China; and though the two gentlemen above named, the only two, it is said, remaining, have since retired, the impulse they have given the nation will be long felt; and it will be easy for other Frenchmen to keep up the influence and connexion already established by their countrymen. We have the following description of some of the works constructed under their superintendence:

Proceeding up the river, we passed along that part of the fortress which the darkness had prevented us from seeing on the preceding evening. This part of the wall has been finished, in the course of the present year, in a very complete manner. The present king, however, is not altogether pleased, as his predecessor was, with the principles of Vauban. He has accordingly built the embrasures on a plan of his own invention<sup>3</sup>. The order of them is quite reversed, that is, they are narrow towards the ditch, and wide towards the rampart! This is the case with all the embrasures on this side of the fort, and they would seem to be the only objectionable part of the work. We were now more struck than ever with the great beauty, magnitude, regularity, and strength of this extraordinary work, for such it is in every point of view. Nothing can be more neat and regular than all the works, the glacis, the covered-way, the ditch, the walls, and the ramparts. Some of the bridges are made of stone and mortar, others of wood, supported on blocks of masonry, and all of them remarkably neat.

When we had passed nearly mid-way along this front, we entered the place by a principal gate, neatly and strongly built in the European style, and with simple and few ornaments. The glacis is covered with short grass, and about 200 yards in breadth. The wet ditch is about thirty feet

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<sup>3</sup> This mode of constructing Embrasures had been long before strenuously recommended by some military writers.—Ed.

broad, supported on each side by masonry, and being on a level with the river, it always contains water. The wall cannot, I should think, be less than from twenty to thirty feet high. The French gentlemen told us that the length of each side was 1187 toises of six feet each, and that the walls would contain 800 pieces of cannon. On entering the gate, we turned to the right, and passed along the rampart. As much care has been bestowed on the construction of the interior as of the exterior. The place is laid out in squares or quadrangles, the roads are wide and convenient, and a navigable canal, which leads to the granaries and magazines, passes through the place.

The palace of the king is surrounded on every side by handsome and well-built rows of barracks. These were uncommonly clean, and very complete in their structure. The arm-racks, the arms of the men, the platforms on which they sleep, the apartments for officers, were all disposed with the greatest neatness and regularity. The men, though not armed, were disposed with regularity in the verandahs; and all of them in uniform. Of some regiments the uniform is blue, with red sleeves; of others, white with red, and so forth. The officers are distinguished by a circular patch of embroidery in front of each shoulder. These barracks would lose little in comparison with the best we have in England.

We had not seen one gun on the walls of the fort, but here was a display calculated to surprise us. It were an endless task to enumerate all the different sorts of iron and brass guns, their sizes, and other circumstances connected with them. Four very large buildings, or sheds, were entirely filled with guns mounted and dismounted, of every description. There were also a considerable number of mortars, and an ample supply of shot and shells. A great number of very fine brass guns were pointed out to us that had been cast by the late king, and among them nine of immense size. The officer of artillery observed, that the latter were too large to be serviceable in war, but that the king had intended them as a memorial both of himself and of the works executed during his reign. They were mounted upon carriages, finished with as much care as the guns themselves. The gun-carriages in general were uncommonly well finished, and made of a hard and durable wood called *sao*, procured chiefly from the province of Dong-nai or Saigon.

Though it had been at first readily agreed that the English might trade to the ports of Cochin China generally, this privilege was afterwards restricted (as supposed through the influence of the French gentlemen) to Saigon and the Bay of Turon. The presents tendered to the King of Siam were proudly declined, on the professed ground, that as the English had yet derived no benefit from the commerce such rewards were not due. To the Governor-General's letter an answer was written by the Mandarin of strangers, importing that the British were to trade on the same footing with the Chinese, French, and Portuguese nations. Presents for the Governor-General were also tendered in return, consisting of a few cetties of cinnamon, agila wood, two rhinoceros's horns, elephants' teeth, and some sugar-candy. These Mr. Crawford, in like manner, declined; and although he was warmly pressed to accept them, the Mandarins seemed sensible that this could not be expected, and hence desisted from urging it. Thus the business of the mission seemed to be coming to an amicable close; but at an entertainment given by the Mandarin of strangers, where

they were treated with all manner of delicacies, and among the rest rotten or hatched eggs, which are considered by the Cochin Chinese a most delicious morsel, after the cloth was removed, a little Mandarin exclaimed in a loud and sharp voice, "You have come from the Governor of a province, and offered presents to a great King, who not receiving them, you are now returning without the presents he deigned to offer!" Mr. Crawford endeavoured to wave such a conversation, by saying he had not called for the Mandarin's opinion on the subject, which had been already discussed and set at rest. From this fresh agitation of the matter, apparently accidental, however, the Mandarin of strangers felt himself under the necessity of referring the whole affair to the King. His Majesty appears to have been much piqued at the refusal of his presents when the circumstance was brought to his notice; and he, in consequence, countermanded the letter to the Governor-General.

Thus, by an unlucky expression of an intemperate minister, who appears at the time to have been generally laughed at for his folly, the whole object of the mission was defeated. From the time the subject of the presents had been agitated, a total change was manifested in the conduct of the Court, and the mission was no longer treated with any degree of respect. At a final interview with the Mandarin of strangers, Mr. Crawford observed, that as so much importance was attached to the matter of the presents, he would willingly take them on board, but could not answer for their being accepted, and must protest against receiving them in the name of the Governor-General. The Mandarin replied that it was better matters should now rest as they were.

Thus ended the mission; probably the last attempt that will ever be made on the part of the East India Company to extend British trade in the East. It seems to us, that its failure can be fairly traced to no want of address on the part of those who conducted it; but simply to the jealousy and distrust with which the Company are regarded among those nations who have seen a body of men come as merchants, and then invariably extend their power as conquerors. Our present war with the Burmese, and intended annexation of territory, will keep alive and greatly strengthen this feeling among our Eastern neighbours. Although they may disguise it under various pretences, it is too evident that fear is their principle of action, which makes them now strive to keep us at a distance, and keep a vigilant guard over our envoys, as if they were spies come to arrange a plan for an invasion. Our policy should be to allay this feeling of distrust, by rigidly abstaining from all wars of aggression, till every state may repose confidence in our moderation and good faith. If, in addition to this, Englishmen were allowed to settle in all the countries of the East, and acquire rank and influence, as they formerly enjoyed in Siam, such as other foreigners now enjoy in these various states, we should not then see the objects of our public embassies counteracted and defeated by the puny influence of a French or Portuguese interpreter.

The 'Quarterly Review' attributes Mr. Crawford's ill reception to his frankness in honestly declaring, that the improvement of commerce was the main object of his mission ; saying, that " he ought to have known, for he has written and published largely on all the countries of the East, that the Chinese (and the Cochin Chinese are the same people, using the same law and language) consider merchants and traders as a degraded class, and place them accordingly in the lowest rank of the community." How shallow is this objection, when it is evident that he could not conceal, without disavowing his employers, that he was the servant of a Company of tea-dealers—an envoy from this degraded class ;—a fact which they made it their business to extort reluctantly from him, and hence avowedly treated him with whatever disrespect he experienced. For supporting this anomaly of merchant-sovereigns, the British name is disgraced, our commerce obstructed, and our distinguished countrymen in the East, who engage in their service, are subjected to continual mortification and insult, to which no high-minded man can submit.

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SONG—FORGET ME NOT ; OR THE SAILOR'S ADIEU.

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*Air—'Adieu, adieu, my only Life.'*

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FORGET me not, though Fate's decree  
Has torn me from thy bosom,  
And duty calls me far from thee,  
To cross a dangerous ocean ;  
My soul shall smile at human fears,  
Or ills that may beset me,  
While the fond hope my bosom cheers,—  
That though between us billows roll,  
Thy fetter'd soul,  
Released by Love's resistless power,  
Will sometimes stray  
The pledge to pay  
Thou gav'st me in the parting hour,—  
That thou wouldst ne'er forget me !  
  
Forget me not when festive joy  
Dispels each trace of sorrow.  
When sparkling mirth thine hours employ,  
One pensive moment borrow,  
To trace the happy hours we've passed,  
The scenes where oft thou'st met me ;  
When, as thy hand I warmly press'd,

*Song—Forget me not ; or the Sailor's Adieu.*

And on it breathed a burning kiss,  
 Trembling with bliss,  
 I felt thy glowing pulse beat high,  
 And in thine eyes  
 Saw pity rise,  
 As thy last broken faltering sigh  
 Breathed—that thou 'dst ne'er forget me !

When evening shadows close the day,  
 And I, of home still dreaming,  
 Shall watch the sun's last parting ray,  
 On thee yet warmly beaming ;  
 I'll think that thus, when life shall cease,  
 With all the woes that fret me,  
 When my last sun descends in peace,  
 And sinks below th' horizon's bound ;  
 Though all around  
 Shall view me cold and pale in death,  
 Thy fancied form  
 My heart shall warm,  
 Inspiring e'en my latest breath  
 To hope thou 'lt ne'er forget me !

As o'er old Ocean's foaming surge  
 Our labouring bark is reeling,  
 Where wild winds seem to howl my dinge,  
 And mock the pangs of feeling ;  
 When lightnings glare, and thunders roll,  
 And beating torrents wet me,  
 This hope shall cheer my drooping soul,—  
 That though by raging tempests torn,  
 On waves upborne,  
 We mount on high and sink below,  
 Still thou, my Love,  
 Wilt faithful prove,  
 And oft fulfil the sacred vow,—  
 That thou wouldst ne'er forget me !

But should our vessel prove a wreck,  
 Or fatal balls fly near me,  
 When bleeding on the gore-stain'd deck,  
 With no soft hand to cheer me ;  
 While from my earthly prospects fly,  
 And death's dark views await me,  
 Thou 'lt have my last expiring sigh:  
 Yes !—ere my spirit soars above,  
 To thee, my Love,  
 'Twill fly to bid its last adieu ;  
 And then prepare  
 To meet thee there,  
 In the fond hope that vow was true,  
 That thou wouldst ne'er forget me !

SUMMARY OF THE LATEST INTELLIGENCE FROM INDIA AND  
OTHER COUNTRIES OF THE EAST.

BENGAL.

The accounts received from the Indian seat of Government during the past month, are, if possible, more gloomy than all that have preceded them. So dismal is the present aspect of affairs, that even the Tory newspapers can scarcely shed over them a glimmering of hope. The Calcutta 'John Bull' itself no longer ventures to manufacture cheering intelligence, knowing that it will not be believed. It comforts the Government, however, from time to time, with a disquisition, to prove the justice and policy of the war, which is a very easy task where no one dares publicly to oppose it. As the newspapers, under such thralldom, are equally deterred from stating strongly any facts that are unfavourable, we have recourse, as usual, to the surest source of correct information, which is private letters. The following is an extract, containing the substance of the private accounts from Calcutta down to the early part of August :

The aspect of public affairs is represented as gloomy in the extreme. Both at Prome and at Arracan all was inactive, save the ravages of death. A war with Bhurtpoor was supposed to be inevitable, and would, if practicable, be commenced upon in the cold season. Presuming that they may now break their promise with impunity, the Bhurtpoorians have, since the demise of Sir David Ochterlony, refused to defray the expenses of the armament which was sent against them! The Indian Government can ill afford to pay *past* losses; indeed, it is with the greatest difficulty that they meet the present enormous amount of expenditure, for which, however, they have not only no *promise*, but no *prospect* of repayment! Money was scarce in the market; interest had consequently risen considerably, and was expected to rise still higher. The remittable paper had fallen to 26, and the other loan was at a discount. Disagreements to an absurd extent were represented to prevail in the Council Chamber. A ludicrous instance is mentioned. Upon the death of Mr. Panton, the Secretary to the Medical Board, Lord Amherst, *without consulting his Council*, appointed a Mr. Adam his successor. Mr. Harrington, as was natural, being desirous of placing his son-in-law, Dr. Muston, in that situation, immediately took umbrage at the Governor's certainly (to say the least) very uncourteous proceeding, and remonstrated pretty sharply against it; with what effect is unknown.

Thus, in the very points where the pretended amiable disposition of Lord Amherst should display itself, he is continually giving the most lively disgust both to his colleagues in office, and the service in general, by seizing, with a tiger-like spring, on the richest prizes of patronage that fall in his way, of which he takes care to appropriate the lion's share.

We have been favoured with a sight of various other private letters from Calcutta, dated in July and August last, which mention several very interesting particulars regarding the extraordinary and sudden changes that had taken place in the money-market there.



The extent of the 4 per cent. loan had been about one crore and thirty lacs; and of this sum, about thirty lacs, with an equivalent in cash, had been tendered to the 5 per cent. loan, opened on the 19th of May last. This, it is stated, afforded but a very partial relief to the Government, whose expenses in the prosecution of the Burmese war continued undiminished.

According to the same private accounts, it was confidently believed in Calcutta, about the middle of July, that the Siamese had made common cause with the Burmese. It was also said, that application had been made by the latter to the Emperor of China for assistance; but that his celestial Majesty had declined any interference, unless as a mediator. Care will, no doubt, be taken by the Company's agents at Canton, to impress the celestial court with a *proper* notion of the justice of our cause, and the unfathomable wickedness of our enemies. In consequence of the rains, no active operations against them were expected to take place till November next; but there were rumours afloat that we might be called upon, ere then, to act on the defensive. The extreme scarcity of cash was most severely felt, and some of our great agency houses in Calcutta were borrowing money at 10 per cent. on deposit of the Company's paper, which they purchased at par, (although, for cash, it could be had at 2 or 3 per cent. discount,) giving acceptances for four or five months, bearing interest at 9 or 10 per cent. per annum.

The merchants of Calcutta, who were about this time reading the lengthened debates at the India House regarding the Hyderabad loan, thought the state of their own money-market a striking commentary on that famous transaction. It went to prove, in their opinion, that the house of Palmer and Co. was by no means exorbitant in its charge of interest, where no security, or, at least, one very inadequate to the rate charged, was obtainable. Since, in Calcutta, where, of course, all were amenable to the Supreme Court, and, consequently, no risk could attach to a tender with the security of Company's paper in hand, houses of the first respectability, from a temporary pressure, were willing to submit to terms which were considered equivalent to an interest of 15 or 16 per cent. (a bonus being usually given of 2 or 3 per cent. by the borrowers, independently of the rate of interest). How, then, could the conditions of the loan to the Nizam (with no such security) be considered exorbitant, when made in times of similar scarcity? On the 20th of July, the following notice was issued by Government:

The public are hereby informed, that the sub-treasurer is authorized to issue treasury-notes for 500 sicca rupees and upwards, in even hundreds, payable nine months after date, bearing interest at the rate of 3½ per cent. per diem, in payment of demands on the general treasury, and that the treasury-notes issued by him will be received at the Presidency by the sub-treasurer, the collector of customs, and the secretary to the board of customs, salt and opium, as cash.

The private accounts from Calcutta, dated in the beginning of August, state that the advices from Ava and Arracan continued to

be very unfavourable. At the latter place, the sickness and mortality among our troops was so great, that there was scarcely a sufficient number of efficient men left to mount guard. It was currently reported that a very large body of the enemy was assembled in the vicinity of Prome, and that Sir Archibald Campbell's division might find it necessary to fall back towards Rangoon, to avoid the probable interception of supplies. Though the Government, from the state of their finances, were exceedingly desirous to economize, they were compelled to keep up an immense establishment of shipping. Rather than raise money by a loan at a higher rate of interest than 5 per cent., they preferred seeking a temporary aid from the issue of treasury-notes for a short period, at an enhanced rate of interest, as shown by the notice above quoted. The interest there offered amounts to  $6\frac{2}{3}$  per cent., but was not a sufficient temptation to draw supplies to any great extent. It was rumoured that the pecuniary distress had become so urgent, as to determine them to invite cash on treasury-notes, bearing interest at 6 per cent. per annum for one year only; and for every 95 rupees paid in, the lender would have to receive a note for 100. It is a fact, that at the general treasury it was declared that they were unable to pay their own acceptances for about 10,000 rupees, except in the treasury-notes described in the above notice. A temporary relief had, however, been obtained from the arrival of H.M.S. *Boadicea*, from Madras, with about thirty lacs of rupees in specie. It is also said, that the Government have again prevailed on the Nuwaub of Oude to assist them with another crore, notwithstanding the assurance lately given him, on his former liberal advances, that they would make no farther demand on his treasury.

These partial aids, squeezed out of their dependent ally, the King of Oude, and the impoverished Madras territory, which has been long unable, on an average, to meet its own expenditure, would very soon be exhausted if the Burmese war continued, of which there was unfortunately every prospect. The enemy, it was said, were very wisely allowing our troops to keep possession of their pestilential positions, knowing that climate would do more for them than the sword. Some of the officers lately returned sick, state, that the encampments, both at Prome and Arracan, were most injudiciously selected, and such as the Burmese were by no means desirous of dislodging us from, well aware that sickness would reduce the force almost to utter helplessness before the rains subside. Late advices, placing this in a very strong light, have been quoted in the most respectable public journals, to the following effect:

The latest accounts from Arracan say, "The sickness here is dreadful: one third of the Native branch (of the army) is in hospital. There is one spot where two regiments are placed, which is called the "Valley of Death"! It is close to the river, the stench of which is most offensive. Every officer of the 42d regiment there is sick: two have died, and three left on sick certificates. The 40th, a few days ago, had only thirty effective men. A spy, giving these details in writing to the King of Ava, has just been put to death. The European officers were so much

reduced by sickness, that one regiment was left in charge of one only, and that a young Lieutenant!

The death of Sir David Ochterlony is evidently a very serious loss in the present crisis. But Lord Amherst's policy had previously deprived the country of the valuable services of that gallant and distinguished veteran. Death then stepped in to relieve him from the contemplation of the disgrace and ruin which men so much his inferior in worth, though superior in rank, were bringing upon himself and his countrymen. It is for the world to judge how far his end may have been hastened by treatment which a generous spirit could ill brook, and by the sickening prospect of the future disasters which a true patriot would rather die than witness. Though the folly of the present system of rule in India had already deprived the army, perhaps for ever, of the value of his services, and his public existence might be considered nearly at a close, it is now only when death has sealed this doom that his brother-officers, under the same authority, can freely lament the loss of their companion in arms. The following well-merited tribute has been paid to his memory in the division-orders of Major General Reynell, C. B., commanding the Meerut division.

*Head Quarters, Meerut, July 15, 1825.*—It is with feelings of unfeigned sorrow that Major-General Reynell announces to the division the death of Major-General Sir David Ochterlony, Bart. and G.C.B., President for Malwah and Rajpootana, and commanding the Western Division of the army, which took place last night about ten o'clock, and in fourteen hours after his arrival at Meerut, from Delhi.

The important services rendered to our Eastern Empire by this gallant, highly gifted, and most meritorious officer, have been noticed and rewarded by the strongest proofs of his sovereign's approbation, and are recorded in some of the brightest pages of our military history in India, rendering imperishable the fame of Sir David Ochterlony as an officer and a statesman, while the virtues of his heart, and the many amiable social qualities he possessed, will long preserve his memory unfaded in the recollection of those who had the happiness to enjoy his friendship and confidence. A division-order is not the most suitable place to panegyricize such a character, and the Major-General will therefore conclude this brief and imperfect tribute of respect, by repeating his own sincere regret for the irreparable loss thus sustained by the Bengal army, and expressing his full conviction, that every officer and soldier of the Meerut division will participate in his feelings, and regret with him in deploring the death of the gallant veteran, Sir David Ochterlony.

Here follow instructions regarding the military honours with which his remains were consigned to the tomb. It too often happens that great men fall when their country most requires their services; and hence, as in this case, their death is doubly lamented. Time only can develop the consequences of this event. The name of Ochterlony would have been a tower of strength in Central India; though storms might rage on our eastern frontier, they were little to be regarded while all was safe within. Now, however, while this stay is gone, and our empire is shaken in the centre, its situation is indeed pregnant with alarm. The hostile movements in Ava, Scind, and,

astly, in Cutch, prevent our forces from being concentrated, and operates as so many diversions in favour of internal insurrection. The same spirit breaking out in so many quarters, begins to look like a general concert to weaken that which is too powerful to be overcome, if united, by distracting our attention, to divide, and thus destroy. But it is only the weakness and incapacity of our present Government, so notorious to all the world, that can have inspired our enemies with confidence, to renew an attempt so lately and so effectually baffled by Lord Hastings, that all hope of renewing it seemed completely at an end.

The domestic intelligence from Calcutta is of the usual character: the most prominent features of it consisting of fresh details about Shakspearian bridges, and a continuation of the unholy wars of Dr. Bryce. Five new bridges had been in full play during the last rainy season on the Benares road alone; four of them over the most dangerous torrents: the Barai Torrent bridge in Bissenpore, near Bancorah, of 126 feet span between the points of suspension, by nine and a half feet wide; the Dungara Torrent bridge at Arrara, two stages west of Bancorah, and 119 miles from Calcutta, 165 feet span; the Bairwah Torrent bridge, sixteen miles and a half west of Hazareebaugh, 112 feet span; the Goosey Torrent bridge, thirty miles west of the same place, 147 feet span. Besides these, there is the Carmannassa bridge, highly prized by the Hindoos, as saving them from the contamination of its polluted waters. It is about 400 miles from Calcutta, and within thirty-six of the holy city of Benares. It was built at the sole charge of a Hindoo, Rajah Seebchunder Roy, who made this much valued present to his countrymen. With one exception, all these bridges were made at Calcutta, of tarred coir rope. But the Bairwah bridge consists of the fibre called chope or mouh-laha, a creeper found in the Ramghur hills. It is also stated, that the Governments of Madras and Bombay have ordered the Shakspearians to be erected wherever required in their territories.

At the eleventh annual meeting of the Proprietors of the Chowringhee theatre, on the 16th of July last, it was found that the debt against it amounted to nine thousand rupees, and was likely to increase so as to occasion a fresh demand upon the pockets of the Proprietors. The public calamities of the state appear to have damped the dramatic genius of the City of Palaces, and thrown a cloud over its gaieties. There was so little hope now of getting up theatrical entertainments, that the managers proposed, as the only choice left, "to close the theatre, to let it, or ~~to~~ offer it for public sale." After a good deal of discussion, it was resolved that the theatre should be continued; and the managers, who were continued also, were authorized to adopt such measures as they might deem advisable for getting up performances during the ensuing year. Though many of the antient veterans of the sock and buskin remain, grievous complaints are made that the drama has sadly fallen from its former "high and *palmy* state." The present Governor-General is said to patronise it, by taking a ticket for himself and Lady Amherst, when they *happen* to attend, which, it

may be, is not very often, since his Lordship was hissed after the tragedy of Barrackpoor.

It is stated, in a paragraph of a Calcutta paper, that a pair of young lions have been brought by a gentleman from the Cape of Good Hope, which are intended to be presented to the Governor-General, and "will no doubt eventually be placed in the menagerie of Barrackpoor, where they will, we presume, be visible to those who wish to see them." This might be considered a very fitting present from the Proconsul of Africa to his gentle cousin the hero of Barrackpoor, who might with equal propriety send a Bengal tiger cub in return. These lion's whelps are another instance of the strange transformations that take place in far countries, in the nature of some lordly animals. "They are so tame as to admit the familiarities of strangers without evincing the least sign of ferocity, and they are the twenty-fifth litter of the pair possessed by Mr. Vallete at the Cape; a circumstance which would seem to be against the correctness of the belief inculcated by some naturalists of the unfecundity of some of the feline race."

A financial report has come home, by which it appears that there is a deficiency of two and a half millions sterling in the revenue, instead of a surplus of three millions, which Lord Hastings left at the end of his administration. The estimate for 1826 anticipates a farther deficiency of three millions sterling. But if the war continues it will be still more; and there is no prospect whatever of peace. As a sample of the wisdom of the measures now pursuing in India, a letter dated Sept. 8th, states that a fleet of transports were sent from Rangoon to Madras for *more* troops, but being unable to supply them there, the vessels were then sent to Calcutta; there being none to spare at the latter place either, the vessels were sent back again to Madras, for 6000 more men, to be carried to that grave where so many had already laid their bones.

Whatever might become of the war, Sir Edward Paget was about to leave his countrymen and fellow-soldiers, whom he had thus far involved, to their fate. The gallant Commander-in-Chief was coming off with flying colours, having taken his passage home in the ship *Madras*, Captain Fayrer, which was to sail about the middle of November.

It was previously known by letters from different quarters of India, that last season had been unusually hot and oppressive; and from the last accounts received by the *Kent*, extending to the 17th of Sept., it appears that fever and cholera had been raging with great fury in various parts of Bengal. Among the natives of Calcutta, it is said that a dreadful mortality prevailed—from three at first to no less than seven or eight hundred latterly falling victims to it daily. And though at first nearly confined to the Native population, the epidemic began latterly to extend to the European inhabitants. One of the victims mentioned, is Capt. Conroy of the Calcutta militia.

The ship *Lotus*, from Rangoon to Calcutta ran aground on Saugor sands on the 22d of July, and in a day or two became a complete wreck. She had in all eighty persons, including five military officers

returning as passengers to Calcutta ; but, fortunately, they all escaped, with the exception, we believe, of the ship's purser and only one seaman.

The following are the latest articles of Indian news that have appeared in England ; they are from the 'Globe' of the 19th inst.—

We have received this morning intelligence from Calcutta to the 17th September. There are further melancholy accounts of the state of the English armies. Sir Archibald Campbell had returned to Rangoon, to inspect the state of the hospitals, and he was reported to have brought the most alarming statements of the sickness at Prome. After receiving the various reports at Rangoon, he proceeded in a steam-boat on his return to Prome on the 25th of July.

We are happy to silence the anxiety of the persons in this country connected with India, respecting the sickness at Calcutta ; the cholera morbus appears entirely confined to the Natives. One letter states, "there is scarcely one instance of a European being attacked."

The crops of indigo are abundant. Exchange 2s. 1d. to 2s. 2d. The interest on Government securities at Calcutta  $7\frac{1}{2}$  to 8 per cent.

A letter from Calcutta states, that the Burmese continue to commit the greatest barbarities on all prisoners, afterwards throwing their bodies into the river.

The following extract of a letter, received by the last arrival from India, deserves publication:—

"For the last ten days two of our newspapers, the 'Bull' and 'Hurkaru', have been raging fierce war, and Dr. Bryce, as usual, flaming in the front of the battle, sometimes wearing a mask, and sometimes openly showing his gladiatorial face to an indignant public. He has gone so far as to fight a duel by proxy, and to threaten all who may offend him that they shall be answered as Mr. Dickens was—that is, that his brother-in-law Meiklejohn shall fight them. The same Meiklejohn is attempted to be palmed on the town as Editor of the 'Bull', though it is well known that "Master Bull-Calf" can scarcely spell his own name. He is a mere boy, and was bred to the sea. It required the courage of Dr. Bryce to rig him out as an Editor. It remains to be seen how long Dr. Bryce's congregation will refrain from petitioning the General Assembly for his removal. It is said that there is no want of inclination among them to take that step, but they want a leader. But the misdeeds of Dr. Bryce are too flagrant and notorious to require such a proceeding. His own *avowed* publication for the last ten days ought to be a sufficient ground for some decisive proceeding on the part of the General Assembly. What think you of his *not having been yet removed* from the office of Clerk to the Committee of Stationary, notwithstanding the orders of the Court of Directors to that effect?

"We have just heard of the death of Sir David Ochterlony at Meerut whither he had gone for change of air. It is not to be doubted that the signal affront put upon him by Lord Amherst in April last, has contributed to shorten his natural, as it put an end to his public life. A kick from an ass has killed the old lion. So eminent a public character, so distinguished a statesman and soldier, a man who has established so

many claims to the admiration and gratitude of his country and of posterity, has not died in India for many years; and in the whole army he has not left his peer, and only one or two civilians, (I mean throughout the three Presidencies,) who could be compared to him. There can be no difference of opinion as to the disgraceful weakness and impolicy of the orders communicated to Sir David Ochterlony in Mr. Swinton's letter of the 2d of April, with a P.S. dated April 3d. Let that letter be produced, and it will at once show the utter unfitness of Lord Amherst to hold the reins of such a Government. For that transaction alone he ought to be recalled.

"What need I say of the miserable Burmese war, of which nobody can foresee the termination? A powerful army took possession of Arracan, almost without opposition, and now they are dying in great numbers, and 4000 are in the hospitals. Every disposable medical man that can be caught is sent to Arracan.

"We are tired of repeating our fruitless petition for the recall of Lord Amherst. See the observations of the (New) 'Annual Register' on his appointment in 1822."

#### COLLEGE OF FORT WILLIAM.

At the annual examination in July last, it was found that the collegiate year now under review gave a total amount of nineteen students, competent to the discharge of their public duties, by the extent of their attainments in the Persian, and in the Hindoostanee or Bengalee language.

Of the number, Messrs. Charles Grant Udny, Henry Pidcock, Francis Horsley Robinson, Frederick Octavius Wells, and Thomas Barbot Beale, were declared qualified in Persian, and Mr. Wells in Hindoostanee, at the late annual examination in June; Messrs. Edward Currie, Edward Lennox Campbell, Richard Walker, Henry Lushington, John Dunbar, and James William Alexander, were declared qualified in Persian; and Messrs. Edward Currie, Edward Deedes, Richard Walker, and Alexander Grant, in Hindoostanee, at the half-yearly examination in December last.

The remaining students, viz. Messrs. James Stephen Lushington, Hugh Vans Hawthorn, Robert Neave, Charles William Truscott, David Brooke Morrieson, George James Taylor, Edward Deedes, and Alexander Grant, were pronounced qualified at intermediate examinations, held at different times since June 1824.

Thirteen medals of merit for considerable proficiency in the Native languages had been awarded since June 1824, and degrees of honour in Persian and Hindoostanee conferred on Lieutenants Gordon and Todd for extraordinary proficiency in these languages. These two gentlemen had, in consequence, been also nominated public examiners in the college.

Lord Amherst (who is much more celebrated, we hear, for fine writing than fine acting) delivered a set speech on this occasion as visitor of the college, which (whether written by himself or not) really contained a great deal of good advice. He mentioned it as a subject

of regret, that though much attention was paid to the cultivation of the Persian and Hindoostanee languages, very good in their way, the students in general neglected the common vernacular dialects, which, though more humble, are essentially necessary for the due administration of justice among our Native subjects in many parts of our territory. He tells the young civilians—

If you cannot speak their language, (Persian and Hindoo are nearly as foreign to them as English,) the best laws of the Government will be a mockery, your most generous resolves will end in disappointment. The rudeness and ignorance of the people will be exaggerated. They will seem to be unreasonable, because they cannot explain to you their reasons. You will appear to them capricious, if not tyrannical, even when actuated by the purest motives, because you cannot state your purposes, and because you cannot discover the real influence of your acts. In one word, you will be strangers to the people, and they to you, and the inconvenience may be aggravated into the most intolerable mischief, through the designs of those who may seek their profit in the estrangement.

I would, therefore, in the strongest manner, inculcate on those who are destined for the Western Provinces, to make themselves masters of Hindee; a knowledge of Bengalee is not less necessary to the due discharge of the duties confided to those who are employed in Bengal.

These remarks, that Persian and Hindoo [Hindoostanee] are nearly as little understood as English, must be taken with some grains of allowance. As applied to the rude peasantry, it is nearly correct; but all persons who have seen any thing of India, or travelled beyond their own zillah, must have picked up something of Hindoostanee, the great, popular, and military language of the country.

His Lordship took the opportunity of giving some details of the other public seminaries of education in India. The Sanscrit College, at the first annual examination, had presented a list of 90 scholars; at that in June last, 118. Benares College, according to the last report, had 61 day scholars, and 171 free students, making a total of 232. The college at Agra had 73 stipendiary students; of whom 38 were engaged in the study of Persian and Arabic, 35 of Sanscrit and Hindee. At the Anglo-Indian College, first established by wealthy Natives, and now patronised by the Government, a course of lectures are delivered on natural and experimental philosophy. The elements of Euclid are also taught in the Madrussa or Mohammedan College; and these, with the school for instructing Natives in the science of medicine, are the only attempts we hear of to introduce European science. His Lordship notices the importance of having the Natives instructed, so that they may be qualified to hold situations under the Government; but he confesses that the means now employed are very insufficient for their general improvement. The Education Fund is said not to have realized the advantages expected from it; and as to the rest, he observes:

The means at the distribution of *any* Government *must* be *always* inadequate to the education of a people, but they are especially disproportioned in a country where the *demand* is *so general* as in India, and where the



endowments that had accumulated through successive years have been *wholly swept away by public disorganization*, or diverted from their purpose by *private cupidity*. It is now necessary to begin again, and whatever success may be attained by the efforts of the ruling power, it must necessarily be limited and partial, unless those efforts are seconded by enlightened individuals, and finally crowned by the concurrence and exertions of all.

"*Must* always be inadequate"!—This position we deny; and maintain that the revenues of a country can always provide teachers (as well as preachers) for the whole population,—provided the *will* exist. "The demand" being "so very general," is the stronger an argument for the application of something more than a *farthing* per head per annum to that purpose. But the funds have been "*wholly swept away*"! This is indeed a most lamentable truth; and we have before us an illustration of the manner in which they have been swept away by the Company for more than half a century past. At the close of Lord Hastings's administration there existed above three millions annually of surplus revenue, a great portion of which might and should have been devoted to the improvement of the country; but the Company continued to sweep it *all* away. Lord Amherst has now sunk all the accumulated treasure in an impolitic and unjust war; so that he is obliged to borrow a million from the King of Oude. Instead of applying it to the uses of the state, 70 lacs of this sum are to be invested in indigo and sent home to please his honourable masters. The money being invested in the 5 per cent. loan, the indigo was to be paid for in treasury-notes and sent home to this country, where the Directors, we observe, are already forcing the sale of indigo at a depreciated rate. This is the advantage of having sovereigns and merchants in the same persons, whose cupidity continually "*sweeps away*" all the public wealth that can possibly be grasped, though it leave their subjects destitute of the means of improvement, or even their territories in imminent danger for want of the means of defence.

#### PROGRESS OF THE BURMESE WAR.

We learn that Lord Amherst has sent home what is called a very able Minute, *protesting* against his being considered the author of the war, and attributing all its evils to the submission paid by him to the advice of his wiser and more experienced Council. But of what avail is this as an excuse for blindly following his blind leaders, when he is armed with an authority which empowers him to act independently of their advice or opinion? Though he has the meanness to shift his own responsibility on others, the blame must still rest where it has hitherto rested,—on his total incapacity to think and act for himself. The war having been declared without consulting the Commander-in-Chief, to make up for this indignity, he then intrusted it entirely to him; consequently, on his back is laid all the mischief that followed. Sir Edward Paget is, among the experienced military men in Bengal, pronounced to be one of the most inefficient commanders-in-chief that ever held authority in that country. His defenders

now attribute some of his first blunders, in the war, to the advice of the late Major Canning, who was consulted on account of his having been once or twice on embassies to Ava. They allege that Major Canning's assurances, that support, in abundance, awaited them in Pegue, was the cause of the army, on the Rangoon expedition, having been so ill provided. But the friends of Major Canning say, that it was the departure from his plans which caused all the disappointment and suffering among the troops. For he expected the whole army, immediately after taking Rangoon, to dash up the Irrawaddy in the ships and boats which brought them, and occupy Prome, with the other points which command the communication between Ava and Pegue, so as to secure all the resources of the latter kingdom, with abundance of provisions, camp-followers, and labourers of all kinds. But the naval officers would not risk their ships in an unknown river, where they might be stranded; and the General would not hazard his army in an enemy's country, where he was not sure of a safe retreat. "These prudential considerations," say they, ruined all Major Canning's plans. Pegue becoming filled with the Burmese forces, was desolated; and our gallant army, hemmed round with stockades, perished of disease and famine.

In fact, the grand error was in making the attempt at a season of the year so fatally inappropriate, that nothing could be done; and then in making no adequate provision for self support, should the power of the enemy happen to have been underrated. But it is believed, that "had we declared war, and entered their country at all points, with due preparation, in October, (the end of the rains instead of the beginning,) there is no doubt that we might have secured Assam, Munnipoor, and Arracan, in *all* February; and through our army, from Rangoon, declared a peace in Amerapoora in March or April, giving us full possession of Arracan and Pegue, settling a subsidiary brigade in Ava, and bestowing Assam and Munnipoor on one of our dependants. As it is, there are many reasons to doubt our ever reaching Amerapoora, even at the end of three campaigns."

Many different accounts conspire to prove, that while our force is wasting away, the Burmese are making every preparation to renew the struggle with increased vigour. The '*India Gazette*' mentions a rumour, which may appear somewhat ridiculous to those who do not consider the powerful influence of superstition on the fortune of states:

We have heard a report, that accounts from Prome mention a rumour of a grand Burmese army being about to make a descent on Prome; we have not heard who was to be the commander in-chief of it; but it was said by the Burmese peasantry of Prome, that the enemy principally relied for success on three sorceresses who were to accompany the army. These *Wier Sisters*, we learn, were to render their own army invulnerable, and to cast dust in the eyes of ours, so as to render our foes invisible. They further affirmed, that the incantations of these three modern Joans of Arc would render the Burmese warriors perfectly invulnerable to musket balls, but they doubted (perhaps with sufficiently cogent reason) whether *cannon* balls could be come in contact with, with equal impunity.

Not to go so far from the scene of warfare as to Joan of Arc—a name so fatal to Englishmen—in India also, it may be recollected, an old woman, by professing to have the power of enchantment, nearly overturned the throne of the Great Mogul; and the power of Lord Amherst may not be more secure than that of Aurungzebe, one of India's greatest, though not best, princes.

The Bengal official Gazette (of August 22d) has given out another story of an intended revolution in the Burman empire; like all the previous projects of the same kind, which seem to have no existence but in the hopes and wishes of the reporters, this had fallen to the ground:

Namine, the Burmese Commander-in-Chief, was anxious (it is said) to effect a revolution, being weary of the ruinous measures of the King, and the desolation which the continuance of the war had produced throughout the empire. He, therefore, represented to his Majesty, that there was a rock called Halahdoun, distant from Ava about eighteen miles, to which, if he proceeded alone, and was able to break any part of it, his success against the English would be ensured. But superstitious as the Court is, the favourites of his Majesty suspected it to be a trick contrived by Namine to get the golden feet into a solitary place, for the purpose of destroying him, and after seizing upon the reins of Government, entering into terms with the English at Prome. Upon this view of the case, the chief, Namine, had been trodden to death under an elephant, by order of the King.

This rumour, we suppose, like the former massacre of the King and Queen, &c., is one of the grounds on which the wise men of the East calculated that the war might be brought to a favourable conclusion. The new Commander-in-Chief appointed, Main-Meean-Ba, the King's brother, is said to have 60,000 men at his disposal, or, rather, 66,666, a mystical number, which would seem to have been borrowed from the Apocalypse. Among these are the three wizards, who are said to be female Shaum chiefs, with 2000 followers. The latest accounts given in the Bengal 'Hukaru,' are dated from Prome the 18th of August; and we are assured that their authenticity may be relied on:—

The Burmese army, now amounting to 60,000 men, is stationed as follows: 20,000 at Meeaday, fifty miles from Prome, a second division of the same strength at Patana-go; these two divisions were forming a junction at Meeaday. The remaining 20,000 are at Ghien'bi'gunie, and are supposed to be there posted for preventing our force at Ariacan from joining the troops under the Commander-in-Chief. This junction, however, is unfortunately now quite out of the question. There is every probability of the war being protracted; the Burmese neither now or ever have shown the smallest inclination to come to terms; this we have the strongest grounds for assetting to be the fact, whatever may have been reported to the contrary; and it seems to be the opinion of the most intelligent and best informed officers at Prome, that even if we take Ava, that the Burmese will, as heretofore, retire, taking with them all their valuables, and that in this manner they will continue a harassing contest; and it is thought that another campaign will be far from terminating the contest.

The accuracy of the above intelligence, as to the number and position of the enemy, was fully confirmed by a reconnoitring expedition undertaken by General Cotton, with the aid of the steam-boat. Sir A. Campbell did not intend to attack the Burmese, if they would leave him unmolested; very glad, it appears, during the rains, to act upon the principle of "live and let live." Great apprehensions, however, existed that they would make an attempt to cut off his supplies. Prome is said to be healthy, compared with Arracan. That it is so, is exceedingly fortunate for our troops; for, as will be seen from what follows, if anything resembling the sickness in Arracan had prevailed there, our army might have been cut off with great facility, by such a force as is now collected against them. If Sir Archibald Campbell, therefore, escape utter destruction, he seems to owe it solely to his good fortune. But, as the *worst* season was not yet come, we shall look with much anxiety for further accounts as to the fate of this little army, placed in the heart of an enemy's territory, receiving its supplies from a distance, perhaps with much difficulty, while surrounded by a hostile force ten times more numerous, and accurately acquainted with the country. Should severe sickness—such sickness as is quite usual in that climate towards the *end* of the rains—attack our countrymen from within, the danger from without is far from contemptible.

.      FORCE IN ARRACAN.

The deplorable situation of the force in this quarter is described in the following extract of a private letter, dated Arracan, August 13th, 1825, which has been obligingly transmitted to us for publication:

I wrote you about two months since describing the taking of this place, and a most woful bargain it has proved, being little better than a *City of the Plague*, and the sickness that prevails among our troops has been hitherto without a parallel in any army. The climate is of the most foul and pestilential description imaginable: nothing but the ravages of sickness meet the eye in all directions, and the hand of death has been busily thinning our ranks for the last two months. There is hardly a corps with fewer than five hundred men in hospital, and the poor sepoys are dying like rotten sheep. Sometimes, in our corps, we lose four and five per day, and since the first of this month we have just lost twenty men: other regiments average much about the same number, more or less. Fever, ague, and dysentery, are the prevailing complaints; and there is hardly a man in the division that has not had a fit of one or the other. I am actually the only officer of my corps that has as yet escaped, and my turn may perhaps not be far off, if I stay here much longer, as the *worst* has yet to come at the breaking up of the rains; at present there is only another subaltern besides myself fit for duty; and we, who a few months ago mustered fourteen or fifteen at the mess, are now reduced to a party of three or four solitary individuals. About twelve or fourteen officers altogether have died since June last; and at least sixty have been sent off to sea on sick certificate to Calcutta, or elsewhere: most of them carried on board ship more dead than alive. Lord Amherst must be nearly driven *demented* from the fatal effects of this foolish war; which

I hope, however, will now soon terminate. I daily expect to be ordered off to the banks of the Hoogley, so do not be in the least alarmed about my staying in such a charnel-house as Arracan. It is hardly probable that this army will be able to move to Amerapoor at the breaking up of the rains, as there is hardly a man left that is not weak or broken down with disease. The army at Prome, under Sir Archibald Campbell, on the contrary, are all in excellent health. The most inconvenient part of this plague is the sickness among the servants, who, in many establishments, with the exception of one or two perhaps, are laid up to a man. For my own part, I find it no easy matter to get a little rice boiled for my breakfast; and that is generally set down upon the table by a poor devil shaking with the ague. A clean shirt is also accounted a great luxury in these times, particularly by me, my washerman being now on his death-bed. This town is quite full of Burmese and Mughs, who seem a very peaceably disposed set of people, otherwise they would have risen some dark night and cut our throats ere this, which, from the weak state of the garrison, might be no very difficult undertaking. Our political agent here is now absent on a trip to Cheduba and Ramree; his assistant presiding in his place.

It was suggested in one of the public papers of Calcutta, that the sufferings and sickness of the sepoys in Arracan during the rains might be greatly alleviated by supplying them with comfortable great-coats. We are happy to observe, by a later paper, that this has been done; and since that period, it is reported, the sickness has considerably diminished. Is this a proof that the freedom of the press and the liberty of suggesting reforms ought to be put down? If the public voice had been listened to, much suffering and disaster might in the same manner have been averted—at Ramoo, at Rangoon, and even at Barrackpoor.

The latest accounts say, that the troops here were recovering—fewer going into hospital than coming out. But before this favourable change took place, it is said the army was almost annihilated. Every one remarks, “Surely, Lord Amherst, who has been the author of so much public calamity, must be almost ‘demented,’ and overwhelmed with regret and sorrow.” Quite the contrary; his Lordship, it appears, is in high spirits, if we may credit the following paragraph which his *friends* have inserted in the ‘British Press’ :—

Letters have been received in London from Lord Amherst up to the 7th September; his Lordship writes in *excellent spirits!!!* He states the army under Sir A. Campbell to be in remarkably good health, and that the troops of Arracan are rapidly recovering from the effects of the rainy season.

He means, that the remnant, not already in their graves, were recovering; but the thousands who have fallen are forgotten; the waste of public treasure, and new dangers besetting our empire on every side, are disregarded; and, while thousands of his countrymen are, owing to his folly, perishing in the pestilential marshes of Ava, his Lordship is very merry, writing facetious letters to his friends in England! So Nero fiddled while Rome was burning.—We hear from various quarters that this letter was addressed to

Mr. Edmondstone, and that the Directors, having been long very deficient in official intelligence as to what their worthy Governor was about, had been wishing they could find out if he made any other person in England his confidant, but they could not discover that he corresponded with anybody. This letter is therefore considered quite a prize by these gentlemen, who, in their public Courts, affect to despise private correspondence!

The latest accounts say that the army in Arracan, being now entirely disabled, was to be replaced by a new army, which was collecting at Barrackpoor.

## CENTRAL INDIA.

The latest private accounts confirm all our former suspicions, that intrigues were hatching among the Native powers in the northwest of India, which might have been crushed in the shell, had full powers been granted to Sir David Ochterlony, with regard to Bhurtpoor. A private letter from Cawnpore, dated in July, enters largely into the subject; but we have only room for the following extract:

Sir David having considered the proceedings of the Bhurtpoorians an infraction of the treaty with the British Government, had vakeels going and coming on the business, and in the meantime assembled the force as related. As he received insolent and evasive replies to all his messages, we marched, on the 8th of April, and reached Mynpooree. There we halted from the 18th to the 28th of April, and were then ordered back, Government having disapproved of Sir David's measures, and ordered him, on receipt of their despatch, to break up the force, and march us all back to quarters; and thus ended all our hopes. We should have had upwards of sixty pieces of battering ordnance, twenty-four and eighteen pounders; and about the same number of mortars, ten and eight inch, including two or three thirteen inch; besides howitzers and field guns, say forty or fifty. Never could there have been so fine and so favourable an opportunity of retrieving our lost laurels in 1805 before this place; and although the heat would have been dreadful, yet, with the hearts and the hands, and the means we should have had at command, which formerly were wanting, it would have been a short and glorious business: their ditch empty and ruined, their walls in bad repair, and every thing favourable, beyond what even could have been wished for, to crown our enterprise with success. It is altogether a cruel disappointment; however, we are told that the matter is not entirely given up, and that we are to move again to Bhurtpoor in September. This is like other wise acts of our Government: we shall then meet with a very different reception from the Bhurtpoorces. For since the demonstration we made, they have been employing 4000 or 5000 men daily repairing the works, deepening the ditch, and of course contriving every impediment to our getting into the place, without perhaps as much loss as we formerly sustained.

We understand that Sir David was disgusted and exasperated at the letter and orders he received from Calcutta, that he threw up *all* his appointments, *military* as well as political, and declared his intention of returning to Europe. The Government accepted it, and appointed Sir Charles Metcalfe, from Hyderabad, but *he* declined the situation! After this, we understand, the Governor-General in Council coaxed Sir David to re-

main, and gave him a *carte blanche* for every thing he liked to do in the cold weather.

Since the death of Sir D. Ochterlony, the appointment of Sir Charles Metcalfe as Resident at Delhi, where he formerly was, has been confirmed. Another circumstance is mentioned in the same letter, with the bearings of which we are unacquainted:—

The fellows who at Delhi attempted the life of Ahmed Bux (a bosom friend of Sir David Ochterlony's) having been traced to the protection of the *Alwar man*, he was requested to give them up, but in a most insolent manner refused to do so. It is not unlikely that this, the Bhurtpoor, and other matters, may involve us in a war with *all* the western states, Jeypoor, &c. &c. I think it is not at all unlikely that the twelve extra regiments, with two of cavalry, were lately raised from an apprehension or prospect of having more on our hands soon than Bhurtpoor, and more than our old army was equal to. It seems the Commander-in-Chief had some difficulty, and not without hard words succeeded, in getting the Government to adopt the measure.

In addition to the confirmed contumacy of Bhurtpoor since the death of Sir David Ochterlony, we are informed by the *India Gazette*, that advices from Keitah state, that a large body of troops were reported to have collected round Pulharrah, the seat of an independent chief, about thirty coss from that place. It was rumoured also, that "Scindiah encouraged the Pulharrah chief to make a stout defence; nay more, promised him assistance at a proper season. In the meantime, so the report went, he offered to supply him with money."

#### MADRAS.

Sir Ralph Palmer, who had come round from Bombay to fill the office of Chief Justice at this Presidency, in opening the sessions in July last, addressed a long speech to the grand jury, in which he congratulated them on the state of the calendar, complimented his predecessors in office, expressed his high approbation of Sir Thomas Strange's late work on Hindoo law, and promised the barristers due indulgence and liberty of speech. "Mutual forbearance," he says, "and mutual indulgence, we all of us require, and, I have no doubt, readily give to each other." Considering what had happened on the west side of the Peninsula whence he had come, this early deprecation of all asperity was natural and judicious.

The Hon. Sir Robert Comyn, the newly-appointed Judge of the Supreme Court at Madras, had arrived there on the 16th of August, by the ship *Princess Charlotte of Wales*. No other intelligence of any interest or importance has been received from this quarter of India.

#### BOMBAY.

Private accounts from this Presidency afford additional reason to believe that the apparently tottering state of our empire in the East is extending a general spirit of resistance from Bhurtpoor to the western confines of India. In our last, we mentioned the reported movement of the Scindians in raising a large force to act against Cutch. A

letter of more recent date, from the camp at Bhooj, in Cutch, written July 2, explains the state of affairs in that quarter :

About four or five years ago, the nobles of Cutch called on the British Government to assist them in deposing their Rao, or king, who had rendered himself very odious by the most wanton cruelty. Their request met with the approbation of our Government. The Rao was deposed, and his son raised to the musnud, with a regency of five persons, of whom the British Resident was one. A subsidiary force of *two* regiments was established, as a guarantee for this order of things being maintained, and the Cutch durbar agreed to pay one half their expense.

In April 1825, a body of marauders invaded the province from Scind; but they were not entirely natives of *that* country, many of the discontented of this province having joined them. Be it sufficient to say, that there was little or no doubt of their having received great support from Scind. They plundered the whole of the country around Bhooj, and, from the insufficiency of our force, actually cut up 600 of the Rao's horse within four miles of our camp. There being little doubt but that Scind was at the bottom of it, some time elapsed before any attempt was made to dislodge them, it being considered prudent to wait the arrival of troops.

Another Native regiment, and some regular cavalry, have been added to the brigade; and I have just learned that a letter has arrived from our agent at Hyderabad, mentioning the march of a division of the Scindian army, chiefly composed of Beloochers, and amounting to four or five thousand men, and every hour confirms the report. A third treaty with this nation may be patched up, but war is inevitable ere long, and the want of officers and troops will be the cause of much expense to the Company.

Additional expense, at the present time, they are least of all able to support; and it is hard to say how it can be supported, when we shall have three wars instead of one, while, by that one, the treasury is already exhausted. Our new antagonists of Bhurtpoor and Scind may, perhaps, be called "weak and contemptible states," as Ava *was* before it measured swords with Lord Amherst. But when his Lordship is so hard pushed to maintain the conflict he courted with this despised foe, how will he resist an unlooked-for attack on both his wings, as well as in his centre, at the same time? Few who understand the present state of India, can look forward without apprehension to so perilous an experiment. The private accounts further say :

The new arrangements of the army now begin to show themselves; and to give some idea of the efficiency of a Native regiment, I shall inform you of the officers in staff employ and absent in the 12th regiment Native Infantry, *viz.*: Colonel, at home; Lieutenant-Colonel, on staff employ; six Lieutenants, absent; and of the four remaining, two are on the staff of the regiment. This is, perhaps, a worse instance than generally occurs; but it will now be much worse than ever, as every regiment has been ~~decreased~~ increased 250 men, and yet not one European officer, though the officers are the pillars of the Indian army.

The 'Bombay Courier' of July 9, states, that the Scindians had collected a large force on the north side of the Runny, or Run, and about thirty miles distant from Loong, on the Cutch frontier.



The cholera has been raging, for some time past, in most of the districts subject to this Presidency, and, in some instances, in a very bad form. His Majesty's Queen's Royals and 6th Regiment, lately arrived, have both suffered from it; and within the last few days it has made its appearance among the Natives here, but as yet the casualties have been but few.

The Paper of the 16th says :

Our letters from the northern frontier mention, that our cavalry had an affair near Luckput with the marauders from the Scind side of the Runn, and drove them out of the Cutch territories with considerable loss. Our loss is stated to be one trooper killed, and twelve horses killed and wounded; but a full account had not been received. Large bodies of plunderers are stated to be still threatening the frontier.

#### PERSIA.

The French Ambassador, Viscount Desbassayns de Richemont, sent by Charles X. to Futty Ali Shah, reached Teheran on the 2d of June, and was received with great distinction at the Persian Court :

The Shah received him sitting on a throne, covered with jewels. The hall of audience was extremely magnificent. Near the Shah stood the grandees of his Court, gorgeously attired, one bearing the royal diadem, another the scimitar, a third the shield, and a fourth the sceptre. On the shield was an emerald of extraordinary dimensions, and on the Shah's bracelets were two of the largest diamonds known. Futty Ali Shah is sixty-six years of age, and remarkable for a long beard, which is the admiration of his subjects, covering his face almost to the eyes, and flowing down to his girdle. The audience lasted a quarter of an hour, and the Ambassador was reconducted home with the same pomp with which he had been introduced. The Shah conferred on M. De Richemont the order of the Lion and of the Sun of the second class.

The day after this ceremony, the Ambassador was attacked with a serious illness; but a subsequent letter of the 3d of August states, that he had recovered sufficiently to begin his journey from Teheran for Ispahan, whence he meant to proceed to the Persian Gulf and Bombay.

Ministers will do well to look to the increase of French and Russian influence at the Persian Court, lest, in the event of the peace of Europe being disturbed, it may pave the readiest way for the irruption of the people of the North into our ill-cemented empire. It will then appear a miserable economy to have saved the expense of a royal embassy to the Court of Persia, or to have left the British interests there to the care of a Company, whose low character in the East utterly disqualifies it from guarding them.

#### CEYLON.

A regulation was promulgated at Columbo, on the 4th of July last, declaring, that the silver and copper current coin of Great Britain, as well as the silver and paper rix-dollar, and subdivisions thereof, should thenceforth be the legal and established currency of the island of Ceylon.

#### PRINCE OF WALES' ISLAND.

Two or three square-rigged armed vessels, belonging to the King of Cochin China, had arrived at the port of Penang, accompanied

by three Mandarins bearing a Royal commission. In order to encourage such advances towards commercial intercourse, the duties payable on the articles of merchandise they imported, were judiciously remitted, as a compliment to his Cochin Chinese Majesty. Several guns, and other warlike stores belonging to one of their man-of-war junks, which had been landed at Tavoy before our capture of that place, having consequently fallen into our hands, a supply was offered them in return; but this the Mandarins not being authorized to accept, politely declined. We trust this fair commencement may lead to a more amicable intercourse than has heretofore existed with the people of Cochin China. It is a considerable proof that they do not condemn trade, as the 'Quarterly Review' supposes, though they may have an aversion to monopolists.

Letters from Penang, of the 20th of August, state, that an embassy, under Captain Burney, had been sent off to the capital of Siam, for the purpose of obtaining assurance of the friendly disposition of the Siamese, and to ascertain whether the reports of their armaments had any foundation. This, coupled with the former statement of the 'Calcutta Government Gazette,' that they had actually taken the field against us, shows very clearly that the rulers of Bengal have some ground to believe that the Siamese are actually forming an alliance, offensive or defensive, with our enemies. It is stated, that an English merchant vessel had been taken up at the rate of 340*l.* per month, to carry this embassy.

SINGAPORE.

Late accounts from this interesting settlement mention the final ratification of the treaty with the Sultan of Johore and Tumungung for the cession of this island to the British. The most important part of it is, that Singapore and its dependencies are ceded in full sovereignty and property to the East India Company for the capital sum of 60,000 Spanish dollars, and the payment of an annual pension during their natural lives of 24,000 Spanish dollars to the present incumbents. This cession includes the main island of Singapore, about 27 miles long and 15 miles in its greatest breadth, together with the seas, straits, and islets, (the last about 50 in number,) lying within 10 miles of its coasts.

By this treaty, every individual who sets a foot in the island is as completely emancipated from slavery, as if he touched the sacred shores of Old England.

Having given this outline of the treaty, we shall add the following brief observations on the present condition of the settlement: Its population, permanent and floating, amounts to 14,000 inhabitants. The ordinary charges on account of its civil establishment amount to 49,050 dollars, the military to 34,658, and the fixed contingent charges to 3600, making a total of 87,208. The revenue is derived from an excise on the consumption of opium, home made spirits, &c.—from quit rents—rents of Government houses and markets—fees and fines of the

provisional court,—post-office dues, &c. &c., and amount in all to 87,262, being 53 Spanish dollars beyond the disbursements.

The trade of the port is as free and unfettered as the power vested by law in the Governor-General can make it. There are neither export nor import duties on any article whatever—there are no harbour and tonnage dues—no fees paid for port clearances, passes, or registers; and finally, the wooding and watering of ships and the landing and shipping of cargoes are totally exempt from privilege and monopoly, contrary to the practice of many other ports in India.

#### CHINA.

The politics of the celestial empire are involved in such mystery, that it is hard to determine what reports to believe or disbelieve concerning them. In the early part of July it was rumoured at Calcutta, that in reply to a request of the Burmese Government for assistance in defending themselves against the Company's invasion, the Chinese authorities said, "We have long been on friendly terms of intercourse with the English, with whom we carry on a very extensive trade. We cannot therefore assist you with troops, but will use our interest by way of mediation to get Rangoon and Arracan restored to you. In the meantime, the Burmese King must send to us the great Mug idol, called Mahamonie, and the White Elephant." It was also reported that four great ships had accordingly left China for Calcutta with the Emperor's proposals for the restoration of tranquillity. This news, though given on the high authority of the 'Calcutta Government Gazette,' seems in every way unworthy of attention.

The accounts from China down to the 20th of April give hopes of an improvement in the opium market: Patna 770 Spanish dollars, and likely to rise; Banca tin was quoted at 24, betel nut 4, rattans 5, and pepper at  $8\frac{1}{2}$  to 9 dollars per pecul. The cotton market was favourable, the stock being moderate.

#### NETHERLANDS INDIA.

The accounts from the Dutch territories in the East have lately been of the most disastrous character. The unpopularity of their Government appears to increase with its age. From the commencement of their intercourse with India, they have pursued a system of monopoly and oppression, odious to the Natives, and often disgraceful to the European name. But a month or two ago we heard they were inflicting a new monopoly on their subjects, who now, exasperated beyond the pitch of endurance, are rising to retaliate on their oppressors. While we lament the catastrophe that has ensued, in which many of our own countrymen are also involved, we cannot help remarking that this is the natural and necessary consequence of those systems of rule in the East, which exist for the benefit of the governors not of the governed. The people will at last learn enough of the arts of war and of policy from their rulers to be able to shake off their yoke. The same causes operate in St. Domingo and in Java: examples enough are not wanting already; and unless *we* take care, by early colonization, to diminish the immense preponderance of numbers against us in *British*

India, the same bloody scenes will one day be acted over again on a larger theatre. The 'Globe' Evening Paper, of Jan. 20th, says :—

The reports of the reverses of the Dutch in Batavia are fully confirmed, in which we lament to say many of our countrymen have suffered. The letters received this morning are of the 10th September. A battle took place at Deenackie, near Samarang, on the 2d of September, between 10,000 Native troops and the European forces ; the latter is estimated at only 300, of which 60 were English, chiefly sailors. The Natives were completely successful.

The following is a list of Englishmen, chiefly merchants, who joined in the battle : it will be observed that the greater number of our countrymen were either killed or are missing :

Killed or missing, passing the river Lawee.—Barrons, M'Master, Sutton, Willis, and Lindsay.

Missing, supposed killed—Hammond, Cameron, Brandt, Lack, Chattoon, Masters, and Cramer.

Returned safe—Page, Lissan, P. Andrews, Horunch, Arratavn, Solkias, Spencer, and Bremner.

The following letter conveys the intelligence in a brief and hurried form :—

*Samarang, Sept. 4.*—Battle fought at Demak—enemy 12,000 strong.

Europeans killed—Burrows, Sutton, Brandt, Cameron, M'Master, Willis, Hammond, Cramer, Lorch, and Lindsay.

Dutch troops totally defeated, and the Natives advancing on Samarang. The Europeans were putting all their property on board the ships at Samarang and Samabuya—30,000 packets of coffee bunt, and the enemy destroying all the coffee trees and sugar canes.

At the date of these letters all Europeans and persons of property were leaving the eastern coast of Batavia, and four merchant vessels, fully loaded with valuables and with female passengers, had sailed for Singapore.

We have been favoured with a sight of a private letter received from Batavia by the last arrival, dated September 12, which gives the following clear statement of the deplorable situation of affairs :

My last letter mentioned a disturbance having broken out in the provinces of the Native Princes ; but I had then no reason to think it of a formidable nature. We now, however, find that Government have been keeping us in the dark as to the real state of matters, and it was not until the accounts of the disaster in the neighbourhood of Samarang, and which could not possibly be concealed, reached us, that we were aware the disaffection was so general.

The expedition from Samarang, to any one possessed of common foresight, must have appeared hopeless. The force sent from them consisted of 100 Native troops officered by Europeans, 50 seamen from a frigate in the roads, and 20 volunteer cavalry, say altogether 180 ; and these were sent against a body of Natives, *known* to the resident to amount to 5,000 at least, but which turned out to be more than double that number. It is almost needless to say, that a complete defeat was the consequence, and out of the 180 who left Samarang, not more than 40 have returned alive. Among them are *seven* Englishmen out of twelve who were in the volunteer corps—namely, Mr. L. Cameron, (of the establishment of Stewart, Turing, and Co.) Mr. Hammond, Mr. M'Master, Mr. Willis, Mr. Bur-

rowes, Mr. Sutton, and Capt. Lindsay, of the ship *Vrouw Helena*. Mr. Page was with the volunteers, but fortunately escaped unhurt. A good deal of mismanagement is attributed to the Dutch officer who commanded, and it is rather singular, that himself and other eight officers belonging to the party, *all* got safe to Samarang.

This defeat will, I fear, be attended with more fatal consequences; and the Natives are infuriated at the part of the English have taken against them, which was certainly not only extremely rash but uncalled for.

The merchants are shipping off their property from Samarang, fearing an attack there, the place being almost without the means of defence.

I however hope, that the Government will be enabled soon to collect a sufficient force to check further successes on the part of the Natives. All the troops have been called in from Borneo and the Celebes, and their arrival is anxiously looked for. In the meantime, they are sending off all the European troops from this place, and to replace them, have embodied a militia in which the British and other foreign merchants have been obliged to serve—to attend drill three times a week, and sometimes take their turn upon guard. You may easily conceive the confusion we have thus been thrown into, while many have hurried off to Samarang to look after their property, left unprotected by the melancholy fate which has befallen their correspondents.

The disturbances are yet chiefly confined to the provinces of the Native Princes, where disaffection has long prevailed in consequence of the arbitrary interference of the Government; but I believe the whole of the eastern part of the island to be equally opposed to the Dutch authority, and that the spirit of insurrection is rapidly extending.

Here, however, I hope we have nothing to fear from the Natives; and I am glad to find that most opinions are in favour of the security of the estates; but every description of property must suffer more or less while the present disturbances continue.—With the exception of the shipment of such produce as is on the spot, business may be said to be suspended at Batavia. The credit of the Government, too, is sensibly declining, and their prospects are really desperate;—a large debt with little revenue coming in, and the probability of still less in the ensuing year.

The last accounts from Batavia, quoted in 'The British Press,' state that a conspiracy to burn that capital of the Dutch in India had been detected. The old Regent, Radin Adi Hali, was arrested and put into strict confinement on suspicion of being concerned. This man is of high rank, connected with the Emperor Solo. His sons were sent to Bengal by Lord Minto, and received a liberal education. The general feeling at Batavia is, that if the Dutch do not alter the oppressive system of their government, which has been so long in operation, Java will never be in a quiet state unless overawed by a powerful military force. The whole effective force of European troops in the island, when the insurrection broke out, did not exceed 3000 men; and the most respectable citizens were compelled to perform the duties of common soldiers. These are the times for trying the soundness of the policy of excluding European settlers from the East. Let the rulers of British India take warning in time.

## ISLE OF FRANCE.

A letter from this place, quoted in the 'Columbian Press Gazette' of Calcutta, gives the following interesting particulars of a species of *foresight* for which this island is celebrated :—

In my next letter I must tell you of the abilities of some few here to discover ships some days before they appear above the horizon. You may remember the phenomenon having been noticed some time ago in a voyage in the Northern Ocean, I forget the name of both the ship and the captain<sup>1</sup> on that occasion ; but the ship appears in the air inverted, and of course the appearance is accounted for on the common theory of refraction. It is however peculiar to certain situations, or at least certain latitudes. One of the men at this place was invited to Paris by the Institute, but he could not observe the same appearance there, and came back. He here makes a regular daily report, and is rarely out. He has been known to announce a ship dismasted for five days before any other person could discover her, (the *Dunira* Chinaman,) and among many other incontrovertible proofs, he not long ago announced the approach of two brigs unaccountably lashed together ; in three days after a ship with four masts made its appearance, a thing that had not been seen for 12 years before. There are two old men that have the skill to discern very accurately ; but they have many pupils whom they are teaching, and who can see the objects though they cannot yet perceive distinctly the particular characters of them.

## MADAGASCAR.

King Radama, in order to encourage British trade with his dominions, has issued an edict, relieving British vessels of all charges and impositions to which they were formerly subjected ; and limiting the demand upon them to fifteen dollars of anchorage duty, and five per cent. on all exports, the produce of the island. In this edict his Majesty proceeds to say,—

With a view to encourage the residence of British subjects in my dominions, for the better civilization of my people, and the introduction of various arts and sciences, I hereby assure them of my special protection ; and that they shall have free liberty to dwell therein, to build ships and vessels, and houses, and cultivate lands, to carry on lawful trade and traffic ; to come and to go at their own will and pleasure, without let and hindrance of any kind, and without payment of any duty or tax than before mentioned.

The East India Company might learn wisdom from this semi-barbarian, who is already sensible that Colonization is the best mode of civilizing and improving his subjects.

## CAPE OF GOOD HOPE.

Since the just and liberal measure adopted by the Ministers, of restoring Mr. Greig to the situation from which he had been so arbitrarily expelled, and enabling him to re-establish his press, which had been so despotically crushed, a great deal of valuable intelligence has reached England, showing in their true colours the affairs of that colony. The delay of Lord Charles Somerset to withdraw from the

<sup>1</sup> Capt. Scoresby, well known as a scientific voyager in the arctic regions.—*Ed. Col. Gaz.*

scene of his oppressions, appears now to be explained. Like an actor striving for an *encore*, he is playing off all his arts to elicit a few plaudits to grace his exit, if not invite his return. The haughtiness of the absolute ruler is now laid aside for the gracious condescension of the candidate for office. The boors of Stellenbosch are complimented with their loyalty; the black-legs, though less skilful than he, are now allowed to win of him a few hundred rix-dollars; others are honoured in public with the most gracious salutations, and other marks of regard. But after all the exertions of his creatures, the addresses got up for Lord Charles are mere hole-and-corner productions, which can have little weight in the quarter where they are intended to operate. They will be a poor set-off against the specific charges brought against him in Parliament, which he seems afraid to face, unless borne up by the adulation of Dutch boors and Cape courtiers, a few of whom may, no doubt, be found to applaud any Governor whatever.

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#### INCIDENTS AND EVENTS IN EUROPE CONNECTED WITH THE EASTERN WORLD.

##### GOVERNOR-GENERALSHIP.

THE most important events that have occurred in England, connected with the interest of India, are the agitation of the question who should succeed Lord Amherst, and the decision of the Treasury as to the division of prize property taken in the Deccan.

The intrigues and counterplots of the Directorial and Ministerial authorities, with regard to the future Governor-Generalship of India, have gone on, for months past, without any apparent result; though the necessity of change has been long deeply felt, and is every day manifestly becoming more imperative. We cannot but regard this inaptitude to provide seasonably a remedy for every emergency, and bring the highest talents into play, as a strong symptom that our present system of government is incompetent to preserve dominion over distant dependencies. The march of events abroad will not wait for the *chancery* delays of those tedious struggles of family and aristocratic influence at home. While the storm rages, or the shallows are near, a pilot must be provided instantly to seize the helm with a strong and skilful grasp. It will not do to waste time in balancing and consulting as to who shall be placed at that important post; far less to determine the selection by the rank and pedigree and *wants* of the candidate, rather than his past services, his talents, or experience. Of the fatal effects of this system, the family of Amherst seems destined to be a standing example. Sir Jeffery, the founder of this house, and as much distinguished by his public merits as its present prop is by his deficiencies, was, at a critical period, superseded in his government in America by Lord Boutetort, whose merits consisted in "bowing low, and carrying the sword of state;" and he was, at that

day, described as "the best of men"! as our present "Lord of the Bedchamber" is now called the most amiable and inoffensive of the human race. But we soon after lost our splendid possessions in the West; and if that experience be not sufficient to teach us, we may soon have another great moral lesson in the East,—that an empire cannot be governed and preserved by a negative quantity of merit, which constitutes an accomplished fawning courtier. In the invincible tendency to make such a contemptible selection of colonial Governors, we see clearly the way prepared for the decline and fall of our Indian empire.

On this subject, it is now well known that great efforts were made to procure the appointment of Governor-General for the Duke of Buckingham; and that though his Grace had a large majority of the Ministers on his side, he failed for want of interest with the Directors. Since then, certain changes being meditated in the Government of Ireland, the Duke of Buckingham and the Earl of Bristol became competitors for the succession to the viceroyalty, in which the former was again unsuccessful. Upon this, it is said, that Lord Wellesley offered his services to go out again to India, and that these were accepted by Ministers. But the concurrence of the Court of Directors is still doubtful; for Lord Wellesley, though sufficiently despotical in his Eastern career, was not sufficiently subservient to suit their wishes. He was besides an advocate of free trade, and wished to separate the governing from the mercantile policy of the Company's system; and was moreover removed from his government in such a manner, as to make it very unlikely that he would ever be cordially restored. It is matter of regret to see Lord Hastings passed by in all this. The veteran nobleman is here on the spot, ready and willing, no doubt, to return to the scene of his former fame: and there can be no question but that his return would do more to restore confidence in India than any event that could happen. Yet he is passed by, and the best interests of the country sacrificed to a feeling either of vindictiveness or caprice.

The Treasury decision as to the Deccan prize case will be found under its proper head in an official shape. In this place, we need only say that it is in favour of a general distribution of the prize property, which will therefore include Lord Hastings and the Bengal army, and place them on a footing with their brothers in arms, of Madras and Bombay. The view taken of this subject, in our last Number, has been adopted by those who sat in judgment on the case; and we have great pleasure in recording the honourable issue of the deliberations.

The discussion at the India House, on the subject of Mr. Buckingham's case, will be found under the usual head of the Debates. As we ventured to do on a former occasion, we shall repeat on the present; and instead of offering any opinions of our own on the question, transcribe a few of those expressed by others, in the hope that they will attract the attention of many who would not otherwise see them in their original places, and thus produce an effect in favour of justice. They are as follows:—



*From the Globe.*—The debate on the case of Mr. Buckingham came on yesterday at the India House. The motion of Mr. Kinnaird, and an amendment of Mr. R. Jackson's, recommending the losses of Mr. Buckingham to the consideration of the Directors, were negatived on the show of hands; but a ballot has been demanded by Mr. Hume. The discussion, yesterday, might have been conveniently confined much within the limits to which it was extended, especially by those who opposed the motion. Those gentlemen attempted to turn the debate entirely upon the question, whether it was proper to put a stop to the habit of free discussion with which Mr. Buckingham was identified in Calcutta. This, in itself, is a question of great importance, and those who think that the liberty of the Press was useful in India, must think that the measures adopted to suppress it were mischievous, and that any sufferings sustained in consequence of them form a fit subject of complaint. But for the Company, which may be said to have sanctioned the suppression of the liberty of the press in India, the question was of a different kind, viz., whether, in the execution of these measures, (upon the supposition salutary in their object,) unnecessary and avoidable injury was inflicted upon an individual, which being unnecessary and avoidable, it was their duty, as a governing body, to endeavour to repair. The object was to suppress free discussion in India; and it appears to us impossible for any reasonable man, to suppose that all the measures which the Indian Government adopted against Mr. Buckingham were necessary for this purpose. One simple (and, supposing the object justifiable, the best) means would have been the establishment of a censorship. No property would have been injured, personal liberty would not have been invaded, and the end desired would have been certainly attained. But how did the Bengal Government proceed? First, it banished Mr. Buckingham; next, finding, as it easily might have anticipated, that such a measure was not of the smallest use, it made a general law, placing in its own hands the power of suppressing newspapers. Then it suppressed the 'Calcutta Journal,' on account of the indiscretion (supposing there was any ground for the proceeding) of some agents of Mr. Buckingham's, whom the first needless act of the Government had deprived him of the power of superintending. Lastly, it refused to grant a license to any persons to use Mr. Buckingham's printing press, so long as Mr. Buckingham himself had any present or even future interest in the profits. Surely all these acts, the punishment of the individual, the suppression of his paper, the locking up, and consequent destruction of his material property—all these evils, inflicted not in the way of punishment but in the course of administration, could not possibly have been unavoidable; and if they were not unavoidable, the Government is bound to repair the loss they have occasioned.

*From the Sunday Times.*—The last act of the Oriental tragedy, in which Mr. Buckingham is the victim, was wound up last week at the India House. Mr. Kinnaird's motion was negatived, and the last seal has thus been put to the merciless spoliation of this injured gentleman. We do not envy the feelings of those who could add insult to injury, and smile at his destruction; they may lug themselves in the day's result, and cry with the crockbacked tyrant—

'So much for Buckingham!'

but they will find few to applaud the heartless oppression out of doors. If the Government of India had a right to deport Mr. Buckingham from these shores—had it also the Corsair's privilege to confiscate his property?

Was it not enough to blast his future hopes, without making ruin retrospective, and crushing with the same hand the acquisitions of years? A Mr. Poynder, a city attorney, was one of the leading orators against Mr. Buckingham on this day. This gentleman may be perfectly acquainted with the mazes of Guildhall, but pray what can he know of India, its customs, or constitution? The banks of the Thames may be familiar to his optics; but of the Ganges, he must be just as cognoscent as of the course of the Niger. Does it accord with Mr. Poynder's notions of British law to transport a subject without trial, and hand his property over to the first applicant; or what would my Lord Chief Justice, or a Guildhall Jury, say to so monstrous an oppression in any other colony? Is Mr. Poynder running a disinterested race with the Bank Solicitor for the business of Leadenhall-street, and proving his deserts by a defence of oppression, which the laws of England abjure, and which would scarcely be tolerated under the scimitar of a Turkish Pasha? But the Equator, say the advocates of existing things in India, is the boundary line between European justice and Asiatic tyranny; and to retain our empire in the East, we can have no Government but despotism and the sword. If so, we say, such an empire cannot, and ought not, to endure. It is formed for the gain of a few, and the oppression of millions; and, like the power of Spain in the New World, must at no distant day vanish from our grasp. Grandeur and power are transitory—but the principles of justice are eternal; and no dominion that is not founded on such principles can be perpetuated. The precedent now established in Mr. Buckingham's case will be repeated against others, until India is swept of every independent man, and is tenanted by a crowd of passive slaves.

*From the Sunday Monitor.*—At a general meeting of Proprietors of East India stock, held on Wednesday, the claims of Mr. Buckingham for some remuneration for pecuniary losses to the amount of 30,000*l.* suffered from the tyranny of the Government of India, were brought forward, and strenuously advocated by Mr. Kinnaird; who recapitulated at some length the manifest wrongs and injuries which Mr. Buckingham had experienced from the administration of Lord Amherst, who, with a despotism unparalleled, except by the policy of Lord Charles Somerset, annihilated the existence of a free press, and with it the honourable fortunes of a talented individual. After a lengthened discussion, in which Colonel L. Stanhope and Mr. Hume bore the most flattering testimony to the character of Mr. Buckingham, as a husband, father, and citizen, the motion for the production of the correspondence between Mr. Buckingham and the Court of Directors respecting his claims for reparation, was negatived by a large majority. Thus, by an act the most arbitrary and inhuman, is an individual deprived of an extensive property, the fruit of the most laborious talent—thus are taken from him the means of existence, and his children rendered beggars; and yet, in England, is there no redress! Can Lord Amherst, if he ever reflect on the mischief of his ill-used power, turn on his pillow, and again, “fold the hands to sleep?” We trust this question will be heard before Parliament; and Ministers will compromise much of the liberality with which public opinion endows them, if they omit according an act of justice to Mr. Buckingham.

*From the Examiner.*—We cannot say we are surprised at the refusal of the East India Company, on Wednesday last, to entertain the question of compensation to Mr. Buckingham, for the cruel treatment and enormous losses which he has suffered from the tyrannical and vindictive conduct of the Company's servants in India; we have little faith in the

justice, much less in the generosity, of a body actuated as that is by a sordid trading spirit; yet we defy any impartial and feeling person to read the impressive history of Mr. Buckingham's affairs given by the Hon. Douglas Kinnaid in the debate at the India House, without a sense of indignation that a man so treated and so meritorious should be denied redress. For the question, as we have before shown, is not whether a free press should or should not be permitted in India, but whether, in checking a certain license of expression assumed by the 'Calcutta Journal,' (if we can without absurdity apply the word *license* to the articles which were made a pretext for that paper's destruction,) a most wanton and needless injury was not inflicted on Mr. Buckingham, on his children, and on the innocent shareholders in the paper. The successive banishments of Messrs. Buckingham and Arnot were ample, or rather *severe*, punishments for the offences of opinion of which they were alleged to be guilty towards the Bengal authorities. The total stoppage of the paper, when the revival of the censorship might have prevented the possibility of further offence, was a deliberate act of malice and oppression, the authors of which will be consigned to infamy by posterity. It was literally a "confiscation," as gross as any committed by some of the early English monarchs; Sir John Sewell's anger at the use of the word, the justice of which he could not disprove, is very like the irritation of a sinner smarting under an accusation which he knows to be true. Suppose, for the sake of illustration, that the British Government determined to suppress the free publication of political opinion in this country; and, being armed with power by Parliament, were to begin by banishing the Editor of the 'Times' for a squib against the Comptroller of the Stationary-office. The 'Times' newspaper would probably decline in sale, owing to the absence of political discussion; but it would still remain a valuable property, as a mere vehicle for advertisements, and a necessary source of information to the mercantile community. The new conductor admits a paragraph obnoxious to the Minister; but would the latter *suppress* the paper in revenge, when he could either inflict punishment on the writer, or place a censor over the publication to prevent the *chance* of further annoyance? Would he, having such ample means both for punishing the past, and prevention for the future,—would he destroy the property and subsistence of the absent Proprietor, ruin the shareholders who had invested money in the paper as a speculation in trade,—and prevent the continuance of the concern in the shape of an advertising and purely literary sheet? If he did, would not the act be cried out against by the whole community, as one of self-willed, brutal injustice? Yet this would be no worse than the cold-blooded malicious ruin of Mr. Buckingham's hard-earned fortune by the East India despots. We hear with pleasure of an intention among the Liberals, to open a public subscription to indemnify Mr. Buckingham for his noble stand against oppression.—The advocates of free discussion are peculiarly interested in supporting him; indeed the whole British public is deeply concerned in upholding an individual against that detestable colonial system which reacts so mischievously on the mother country. To protect him, therefore, would be a most useful exertion of public spirit, would bring further exposure and disgrace upon the India Company, and would extend relief to an individual, of whom it is not too much to say, that his long-continued and arduous labours in the cause of enlightenment, his fearless resistance to misgovernment, and his sacrifices to patriotic principle, entitle him to the gratitude of his countrymen.

The expressions contained in almost all the Country Papers of England, Ireland, and Scotland, (for all have noticed these transactions,) are such as to lead to a confirmed belief, that if the nation could be polled on the subject, there is hardly a hundred individuals who would not declare their belief that the injury inflicted had been not merely severe, but unnecessary, and far beyond what any human being could have ever wished or intended ; and that on this ground, if on no other, relief should be afforded. Hopes are still entertained, however, that any appeal to the public of England may be unnecessary. The Proprietors of East India stock, and even the Directors, may yet, it is believed, see reason to view the calamities with more indulgent eyes than they have hitherto done ; and not leave it to posterity to say that they saw a victim hurried on to destruction without an effort even to avert his doom. The public of India cannot hear this with indifference, any more than their fellow-countrymen here. But the source from whence these calamities have sprung will, it is yet hoped, be still found available for their relief, and the innocent (who are now made sufferers) be at least saved from the punishment due to the guilty alone.

#### THE INDIGO TRADE.

During the past month an open rupture has taken place between the East India Company and the body of Merchants, who are the principal dealers in indigo, in consequence of the former having forced on a large sale of that commodity on the 17th ultimo, in spite of the earnest remonstrances of the trade for its postponement, on account of the unprecedented circumstances of the country. Mr. Christie, who was deputed by the great body of the trade to act in their behalf, stated the case as follows :—

A few weeks ago a meeting took place of those connected with the indigo business, which was most numerous and respectably attended, and at which he had accidentally the honour of presiding. It was there unanimously resolved, that a respectful application should be made to the Court of Directors of the East India Company, setting forth the effect of the recent shock in the trading world, and the great uncertainty which prevailed of there being adequate purchasers at this sale ; entreating, at the same time, for the sake of the trade, as well of the interests of the Company, such sale should be postponed until purchasers could assemble under more favourable circumstances. This application received immediate attention from the Directors, who, however, kindly and candidly replied, that as the great bulk of the sale was composed of the goods of private traders, which were for a special purpose intrusted to their care, they could not, in fairness to such parties, deprive them of the promised opportunity of finding a sale. The trade immediately, knowing that only 600 out of 6000 chests of indigo allotted for sale belonged to the East India Company, and that the rest was the property of individuals, felt that the Company were only acting in fairness to the interests intrusted to them, and therefore thought that it was only just to consult the parties upon the steps which it might be advisable to take when their interests were involved. They (the trade) lost no time in making the necessary application to these parties for their concurrence in the postponement of the sale ; and he was happy to say that five-sixths

or nearer six-sevenths not only occurred in the proposition, but coincided in the propriety of the reasons which had led to the request, determining to withdraw their chests if the Company agreed to do the same. Thus armed, with the assent of the owners of 4500 chests of the indigo which was intended to be sold at this sale, they again by memorial addressed the Court of Directors, the parties whose property was thus involved, respectfully requiring the postponement, under circumstances which gave every hope that so reasonable a request would be complied with. Unfortunately, this general anticipation was not in the end realized, although the great bulk of their country customers, acting upon it, had refrained from coming to town. The sale was nevertheless ordered during the Christmas holidays, and at a time which only allowed 13 days to Christians, and 11 to Jews, for the inspection of 6000 chests of an article which more than any other required close and accurate examination; and this, too, in the most inclement state of the weather, and on some days (like Monday) which rendered it absolutely impossible to perform any inspection whatever.

The motives of the East India Directors for hurrying on the sale in spite of the wishes and the well known interests of the owners of the article may now be comprehended, when it is known that private advices must have reached them of the intended speculation of their Governor-General in indigo to the extent of seventy lacs of rupees! To make room for this immense importation, it must be thought necessary to clear off the old stock on hand at any sacrifice to the owners. Besides which, the Company itself is in great want of money, being now obliged to supply its deficiency by a fresh issue of paper, till Lord Amherst's tardy remittance come to its relief.

To the foregoing representation, Mr. Lindsay, the Director, who acted as Chairman at the sale, replied, that of the two reasons urged for delay, the first was, the late pecuniary embarrassments; the other, the bad season. These reasons he set aside, on the ground that no one could assure us that we should ever enjoy better times, free from such impediments, or more favourable to such a sale. But, we may ask, did this argument prevent the Company from postponing its own tea sale only a few weeks before? Next, he argued, that as one-sixth of the quantity belonging to the trade was still not withdrawn, the Company were bound to sell that, but others might withdraw theirs if they chose. Mr. Christie said, in reply, that the trade could not for a moment mean to interfere with the individual rights of such owners as meant to sell at present. But "he wished to know if it were the determination of the Company to sell their own 600 chests under all the circumstances, and being in full possession of the unanimous feeling of the trade?" To this plain question, the Chairman gave no reply; for the Company had, at first, objected to the postponement of the sale, on account of the supposed wishes of the trade, that it might go on; and now the "Honourable" Company was going on with the sale in direct opposition to those wishes. One gentleman, an intending purchaser, said, he had come from a great distance, and it would be a great inconvenience to him to lose this opportunity of supplying himself. On this, the Chairman said, that

what had fallen from that gentleman proved the propriety of going on with the sale, as long as a single purchaser could be found, or an article remained on hand. The *single purchaser* would, no doubt, heartily concur in a doctrine which promised him every thing on his own terms, when there was no competition. The Chairman and Deputy-Chairman, of the Court of Directors, having been then consulted, they insisted on the sale proceeding, which it did amid cries of "shame," and every symptom of indignation among the large assemblage of gentlemen present, amounting to two or three hundred, consisting of many of the most respectable merchants of the city. Among those who are mentioned as having taken an active part in the proceedings, were Mr. Palmer, Mr. Bazett, (of the firm of Bazett, Farquhar, and Co.,) Mr. Innes, (of the firm of Innes, Fairlie, Bonham, and Co.,) who complained of the gross illiberality of the Company's procedure. Some who had at first withdrawn their lots, in deference to the known wishes of the trade in general, hoping that the Company would follow their example, were not allowed to restore them when the sale so unexpectedly proceeded. The result of this forced sale, was a fall of prices to the extent of twenty per cent.; which, though it must be ruinous to the private merchant, is thought nothing of by the commercial kings, who are accustomed to trade at a loss, and make up all deficiencies by territorial tribute, or by borrowing (as from the King of Oude) crores of rupees, to be divided among themselves, as the profits of their commerce! These events are a striking commentary on the late solemn declaration of the Chairman, that such was the source whence their dividends proceeded; and when Lord Amherst's investment, purchased with borrowed capital, arrives, we shall probably find them again glad to sell at a loss on the prime cost, in order to realize cash, (called profits!!!) to be shared at the next half year's dividend.

#### ARMY ARRANGEMENTS.

The Bengal Government had recommended an augmentation of twelve battalions of sepoy infantry to that establishment, with reference to the increased duty that their expected conquests over the Birmans would require, and to the political aspect of affairs in India. They are also said to have recommended European officers to be attached to the sepoy artillery as well as infantry and cavalry; and they had provisionally made the promotions for six of the twelve battalions of infantry. Two regiments of Native cavalry were also recommended for sanction, and the promotions provisionally made. The Bombay Government also wanted several battalions of Native infantry in addition, and a fourth regiment of Native cavalry.

The two Bengal regiments of cavalry, and two of the regiments of Bombay infantry, had been agreed to by the Board of Control and the Court of Directors, by anticipation. The Court also recommended (it is pretty well known) to the Board of Control to sanction six of the twelve battalions of sepoys, both from the expediency of the measure in the probable state of Indian relations, and from the awkwardness

of cancelling commissions, arrangements, and promotions already made, (though called "provisional,") and sending officers backward and forward, from old regiments to new, and again from new to old; the Court also recommended an artillery increase, we have heard.

The latter of these is said to have been refused; why, we do not know. The infantry augmentation of Bengal, however, has been also refused, at first, *in toto*,—say the quidnuncs of Grosvenor-street, and on the ground that an augmentation of the Royal forces would be made, this year, on the meeting of Parliament; as if it were an equivalent for the other, ~~to~~ such a climate and under such a political system as that of British India.

It is now whispered that a disposition has been shown to concede the point of the sepoy augmentation on certain conditions, of which the particulars have not transpired; though it is understood that the basis is the reception of a portion of the King's half-pay list into the service of the Company as subalterns; in other words, giving to the Horse-Guards the patronage of one half the Lieutenancies and Ensigncies for the new regiments. The measure, we should suppose, is not at all likely to be particularly acceptable, either to the Company, the exclusive dispensers of military patronage in India, in the shape of cadetships, or to the subalterns of the Indian army, who will suffer by the intrusion of these strangers. But we defer further remarks on this novel and somewhat startling subject till our next, when we hope to obtain more accurate information as to the intrigues and negotiations on several interesting points which are said to be carrying on with great activity of late, between the two Houses which bear between them the destinies of the East. We hope, too, in the interval, to profit by the opinions of our experienced and professional correspondents, as to the effects which such an innovation would have on the Company's service, as weighed against the benefits which might result to the national purse, had the relief joined in the disposal of so many gentlemen who are now in poverty and a burden to the finances of the country.

#### EAST INDIA COMPANY'S FINANCES.

The following intelligence having already appeared in 'The Times,' and most of the other public journals, we may venture to insert it without much danger of a prosecution for an attempt to injure the credit of the Honourable Company:—

In consequence of the great expense incurred by the Burmese war, it is understood that the East India Company will find it necessary to avail themselves of the *full extent* of the privilege granted them by act of Parliament, of issuing bonds for circulation in the London market. The amount at present out, is, we believe, *very considerably* within the privilege.

# CLAIMS OF THE ARMIES OF INDIA TO THE BOOTY CAPTURED IN THE DECCAN.

UNDER this head, we gave, in our last Number, a concise history of all the facts connected with this important case which had transpired up to that period. We are now enabled to lay before our readers (exclusively) a report of the arguments of Counsel made, in the course of the month just ended, before the Lords of the Privy Council.

The only point to which Counsel were expected to direct their observations, was, whether the booty captured in the Deccan subsequently to the dissolution of the army under the command of Sir Thomas Hislop, was the result of the operations of that army prior to its dissolution.

*Monday, January 9, 1826.*

At one o'clock, their Lordships having met, and Counsel being introduced,

The EARL of LIVERPOOL stated, that their Lordships had received a memorial from the Marquis of Hastings, praying that the whole question regarding the booty might be referred to the Privy Council. It was impracticable, his Lordship said, to comply with the noble Marquis's request, that the whole question should be referred to the Privy Council; but their Lordships had no objection to refer to that tribunal so much of the case as remained still undecided, if both parties consented to the arrangement.

Mr. HARRISON, on the part of the Deccan army, said, that he would consent to their Lordships' proposition.

Mr. ADAM and Dr. LUSHINGTON, for the opposite party, said, they felt it their duty to withhold their consent. They would willingly allow the whole question to be carried before the Privy Council, but not a detached portion of it.

The EARL of LIVERPOOL then directed Counsel for the Deccan army to proceed.

Mr. HARRISON said, that he would apply himself to combat a misconception under which the trustees appeared to labour, namely, that a considerable portion of the booty to which the Deccan army laid claim, as taken by them, was not captured until after the 31st of March 1818, the period at which that army was dissolved, and that consequently it could not have been captured by that army. The mistake of the trustees arose out of a misconception as to what constituted capture. The proposition which it would be his duty to maintain before their Lordships, was, that immediately upon the capitulation of any city, town, or fortress to any portion of his Majesty's troops, the whole of the public property in any such place belonged immediately to those particular troops, subject of course to the sanction of his Majesty; and that it was by no means necessary that such troops should take bodily possession of the property; in other words, that the mere fact of submission, on the part of the enemy, gave to the conquering force all the rights of capture, and that it was in no way necessary to establish those rights that they should take possession of their booty. If that proposition, supposing he should succeed in establishing it, were applied to the present case, the result would be, that all the property discovered subsequently to the dissolution of the Deccan army, in places conquered by that army, must be declared its booty, having devolved to it from the first moment of conquest; for the principle he contended for applied with as much force to a whole country as to a single town. He would proceed to cite to their Lordships certain cases which would exhibit, in the clearest possible light, the principle of law with respect to capture. It appeared from the reports of one of the learned persons who were summoned to assist their Lordships at the present discussions, (Sir C. Robinson,) that many years ago, the learned Judge, who pre-



sided in the Court of Admiralty, had expressed his regret that the decisions of the Court were not always so uniform as it was desirable they should be, and said it would be a great satisfaction to him if he could, with the assistance which he might hope to obtain from the bar, succeed in establishing a general system, founded on principles which in future would be applicable to all cases that might arise. It was impossible for any person, who looked through the cases decided by the learned Judge, to deny that he had lived to carry his wishes into execution, for it would be difficult to find a more able, elaborate, and consistent course of decisions. The learned Counsel then proceeded to quote several cases which had been decided by Sir William Scott, now Lord Stowell, on the principle, that taking possession was by no means a necessary part of capture. The case of the ship the *Edward and Mary*, in which a question of salvage arose, was very peculiar. The vessel, a British merchantman, had struck, during a storm, to a French lugger, who told her to stay by her till the storm abated, when she would send a boat to take possession of her. A British frigate, however, came up with the lugger, and captured her. In the mean time, the merchantman succeeded in joining her convoy, from which she had been separated by the storm. The British frigate claimed the merchantman as a French prize. On the part of the merchantman it was contended, that she could not be considered a prize, inasmuch as the Frenchman had never taken possession of her. Sir W. Scott, in giving his decision, said, that the sending persons on board a vessel to take possession, was by no means essential to capture. If a vessel was compelled to lie to by another, it was clear that she was under her dominion; he therefore decided, that the merchantman had been captured by the French lugger. The case of the ship *Resolution* was also in point. The *Resolution* was an American vessel proceeding to France. One of our privateers suspecting that she had French property, sent two men on board, and desired the captain to carry her into a British port, which he consented to do. However, when the privateer got out of sight, the captain, in spite of his promises, was proceeding to his original destination, when the two British seamen on board hailed an English man-of-war, who brought her into an English port. In this case, Sir W. Scott decided, that the right of capture belonged to the privateer, and not to the vessel which had brought the prize into port. The next case to which he would request the attention of their Lordships, was, perhaps, more applicable than any which he had quoted to the question under discussion. In 1808, one of the Faro islands surrendered to one of his Majesty's vessels, commanded by Captain Ball. After the departure of Captain Ball, another vessel touched at the island and took possession of certain property, of the existence of which Captain Ball was ignorant at the time he left the island. Sir W. Scott decided, that immediately upon the surrender of the island, the whole of the public property therein devolved to the Crown for the use of the captors, and that any persons who might subsequently possess themselves of any part of such property, could only hold it in the character of trustees for the Crown. He would trouble their Lordships with only one case more, which was of great celebrity, he alluded to the capture of Toulon. Toulon surrendered to the naval force under Lord Hood, in the name of Louis XVII. Lord Hood, however, did not take manual possession of the place. Subsequently, the British land forces took possession of the place, blew up the dock-yard, and performed other important services. The land forces put in a claim to the booty which they had succeeded in carrying off; but it was decided, that the naval force, to whom the place had first surrendered, were the sole captors, and entitled to all the booty. The case was argued before the Privy Council, some of whose members, Mr. Pitt amongst others, though very desirous of rewarding the services of the land forces, bowed to the opinion of Sir W. Scott, and other learned persons who were consulted, and who decided in the way which he had stated.

At four o'clock, the EARL of LIVERPOOL intimated that the time for adjournment had arrived, and requested that Mr. Harrison would resume his argument to-morrow morning at twelve o'clock.

*Tuesday, January 10.*

Their Lordships assembled at twelve o'clock.

The EARL of LIVERPOOL observed, that it would tend materially to simplify the case, if the learned Counsel (Mr. Harrison) would state what was actually taken possession of by the army at Poonah, Nagpore, and Mahidpore, as contra-distinguished from that which came into its possession as the general result of its operations.

Mr. HARRISON said, that he really felt it impossible to do what his Lordship required. He could not, indeed, undertake to say that any property whatever was taken possession of by the army at Poonah, or any other place. In India, it was the practice for civil authorities to accompany the army, and the moment any place was captured, they assumed the control of it, and took upon themselves to declare what was booty. As a proof of the power assumed by the civil authorities, he would refer their Lordships to the circumstance of the discovery of the treasure at the village of Nassuck. In the beginning of April, the army received information that the treasure was concealed there, and wished to go and take possession of it, but the civil authorities would not permit it. At length the treasure was dug up by Captain Briggs, the civil agent. If their Lordships were to lay down the principle, that the army should be entitled only to the booty which they might take possession of at the time of the capture of any place, it would be in the power of the Civil Servants of the Company to prevent them from acquiring any booty at all, for they might forbid them to enter any place which capitulated. Besides, the establishment of such a rule would place the interest of the army in direct opposition to its duty. Soldiers would be taught, that upon taking a town, they should set about hunting after treasures instead of attending to their duties, unless they wished to go without any reward for their exertions. After some further observations, the learned Counsel concluded with repeating the proposition with which he had set out, namely, that the moment hostile control was obtained over any place, the right to all the public property was vested in the King, for the benefit of the conquerors; and that the taking bodily possession of it was not at all necessary to constitute capture. If that principle were admitted, it would follow as a necessary consequence, that the whole of the booty, to which the present discussion referred, belonged to the Deccan army, for it had acquired absolute hostile control of the country before it was dissolved.

Dr. JENNER followed on the same side. He observed, that the present question was one of great importance, not only to the parties immediately interested, but to all future captors; because, if their Lordships were to establish a principle at variance with the cases cited by his learned Friend, the two services of the army and navy would be placed on a different footing with respect to booty or prize-money, from which nothing but the worst consequences could ensue. The ground on which the claim of the Deccan army to the booty in question was resisted, was, that it was not the army, but the Company's civil servants, who had taken possession of it. His learned Friend had exposed the futility of this objection, by showing the civil agents had it in their power to prevent the army from acquiring any booty whatever. The learned Counsel then proceeded, at considerable length, to comment upon and illustrate the cases which had been quoted by his learned Brother; and concluded, by entreating their Lordships to adhere to the principle established by those precedents.

● At four o'clock, their Lordships adjourned to next day.

*Wednesday, January 11.*

Their Lordships assembled, as usual, at twelve o'clock.

Mr. ADAM addressed their Lordships on behalf of the Grand Army. He said, that the question to be decided by their Lordships was, who were the persons entitled to share in the distribution of the large masses of property described in the report of the trustees, agreeably to the principles laid down in his Majesty's warrant. That being the case, he contended that the *onus*

*probandi* lay with the other side ; it was for them to show that they were the actual captors of the booty ; and if they did not do so, the Grand Army was entitled to claim a participation in the booty under the second branch of his Majesty's warrant, namely, "that the principle of actual capture be not adopted in this case as the rule of distribution ; no other correct or equitable rule could have been adopted than that of a general distribution among all the forces of the Presidencies engaged in the combined operations of the campaign." The learned Counsel on the other side had laboured hard to establish a principle with respect to capture, which, they imagined, would induce their Lordships to give a decision in their favour. There, he thought, his learned Friends were mistaken. He would make them a present of their principle ; and yet they could not make out that they were the captors of the booty which was the subject of the present inquiry. He did not propose to trouble their Lordships with many observations upon the authorities which his learned Friend, Mr. Harrison, had quoted ; but he must at once express his dissent from the deduction which his learned Friend made from them, namely, that prize could exist without any capture whatever. One class of the cases quoted turned upon the point, whether sufficient power had been exercised to constitute capture ; another class was adduced by his learned Friend to support the proposition, that all the property scattered throughout the territories of a prince became the booty of those who might succeed in gaining a single victory over the sovereign. It was upon that ground contended, that the taking of Nagpore gave the captors a right to all the property in the territories of Nagpore. It was necessary that he should, with reference to this part of the subject, read their Lordships an extract from a judgment of Sir William Scott, on the subject of the right of an army to prize : "An attack upon an island may be considered a general and combined attack upon all the ports of that island ; but can it be so said of a battle fought upon the continent of Europe, which may induce the enemy to abandon certain ports ? The French may be driven out of Spain by a single battle ; but can it be said that the victors are entitled to all the ships in all the ports of Spain ? There must be some limitation to the principle. There must be evidence to show that a particular battle was fought in order to take a particular place : I do not mean that it is necessary that there should be a direct attack on the place, but the attack should be directed to that object." There, their Lordships would perceive, the learned Judge made an obvious distinction between an attack upon an isolated spot like an island, and the operations of a campaign extending over a continent. It must be evident to the understanding of every one, that there must be some limitation to the principle for which his learned Friend contended ; and it would be for their Lordships to determine whether that limitation did not bar the other side from claiming, as actual captors, the whole of the booty under consideration. The trustees had reported, that, with respect to several large masses of property, it was impossible to make a distribution in accordance to the first branch of his Majesty's warrant, which was the "principle of actual capture." It followed, then, as a natural consequence, that the booty in question was the result of the exertions of the combined armies. Indeed it was impossible, when their Lordships came to be acquainted with all the facts of the case, that they could entertain any other view of the subject. It was a fact which could not be controverted, that at the period when the greater part of the before-mentioned treasures were found, the Deccan army had not reduced a single town in the Guntoor district ; indeed, there was at that time any thing but an abandonment of the country by the Peishwa. It was not till the 3d of June, when the Peishwa surrendered to Sir John Malcolm, that he could be considered a conquered prince ; and yet it was pretended, in the face of these facts, that the Deccan army had obtained territorial possession of the country, because they had compelled the Peishwa to fly. The learned Gentleman here gave a brief sketch of the campaign, through which we do not think it necessary to follow him. He would not, he said, trouble their Lordships with any details respecting the share which Lord Hastings had personally in these transactions, but would content himself with asserting what could not be contra-

dicted, that it was chiefly owing to the noble Marquis's judgment, and under his direction, that the campaign was brought to a successful termination, and the British power delivered from one of the most formidable enemies which it had ever had to contend with in India. The Marquis of Hastings had given it as his opinion, that such was the state of India at that period, that if the Peishwa had succeeded in escaping, and forming a junction with some of the Native princes, the consequences would, in all probability, have proved fatal to our interests. Some idea of the power which the Peishwa possessed over the Native princes, might be formed from the fact, that when Holkar and the Rajah were reproached for their breach of faith to the British Government, they replied, that they could not help revolting, because the Peishwa had commanded them. The learned Gentleman concluded, by calling upon their Lordships to reward impartially the whole of the military forces which had been engaged in a war that had terminated so advantageously to their country.

Dr. LUSHINGTON followed on the same side. He set out, like his learned predecessor, by stating, that it was incumbent on his learned Friends on the other side to show, that the Deccan army had, within the terms of his Majesty's warrant, captured the booty which was mentioned in the letter of the trustees. How had they attempted to discharge that obligation? By stating that, because they had captured three particular places, therefore they had captured the whole of the booty taken during the war. His learned Friend, Mr. Harrison's argument, amounted to no more than that. His learned Friends had not done what they were bound to do, which was, to show that the property which formed the subject of the trustees' letter, though not captured at Poonah, Nagpore, or Mahidpore, was nevertheless captured by divisions of the Deccan army. His learned friends had endeavoured to extricate themselves from the difficulty in which they found themselves involved, by establishing a most extravagant doctrine on the subject of capture. That doctrine he would shortly examine. He admitted that, as a general principle, all acquisitions made in war belonged to the Crown; that principle was modified only by capitulation, which reserved to the captured certain rights according to the terms of capitulation. The whole of the land, indeed, of a conquered country, and all the private property, belonged to the Crown *de jure et de facto*; but when booty was spoken of, it meant only those specific articles which, by long custom, had been distinguished from other acquisitions made in war. It was important that their Lordships should bear in mind, that the analogies of naval capture applied very loosely to military capture. The two services differed so widely from each other, that to apply the same principles to both, would lead to the most incongruous and calamitous result. He would now inquire how capture might be effected. The term itself implied a seizing of the enemies' property by those who were employed against them; it also implied a taking actual possession of the property. He did not, however, mean to contend that there could be no capture without corporal possession; but this proposition he certainly did intend to maintain, that, where there was no actual capture, on the persons claiming the booty as captors lay the *onus probandi* of showing that it was in their power and grasp in a legal sense. Not only must the property, of whatever kind or description not actually taken possession of, have been in the power of persons claiming as captors, but there must also have been something equivalent to an act of possession on their parts. To illustrate his position, he would put a case to their Lordships. He would suppose that a King's ship had got into an enemy's fleet of merchantmen; that she was close upon five or six, and had it in her power to annihilate them, but instead of doing so, she went forward to attack the convoy;—would any body say that, because the merchantmen were at one moment in the power of the King's ship, that, therefore, they were actually captured? It was not possible to maintain such a proposition. There must be an *animus capiendi* exhibited. His learned Friends on the other side had argued, that the booty under consideration was the result of the victories at Poonah, Nagpore, and Mahidpore. When did they mean to say that there was such a complete surrender by the Peishwa,

of all authority over his dominions, that, from that moment, all the property in them became the booty of the victors? It followed as a consequence of the argument on the other side, that if a body of troops should merely pass through an enemy's territory, they would have an exclusive right to every thing in it as booty; that because they had the power to capture, therefore they did capture. This proposition was applied to the treasure found at Nassuck, which was claimed as booty by the Deccan army, although there was no evidence that any British force had ever been at the place at all. Upon the principle attempted to be established, the Duke of Wellington, in his march through France, might have laid claim to all the property in the districts through which he passed, because his army was sufficiently powerful to take it. He thought he had said enough to satisfy their Lordships that it was impossible to apply the principles of naval capture to military capture, without some modification. The learned Counsel then endeavoured to show, that the capture of the booty, set forth in the trustees' letter, was the result of the whole campaign, and not of the victories of Poonah, Nagpore, and Mahidpore exclusively. Actual capture there was none; and the booty was acquired by the united exertions of the combined armies. No officer contributed more to the success of the campaign than Colonel Adams, who attacked and dispersed the Peishwa's forces on the 16th of April, after the Deccan army was dissolved.

The EARL of LIVERPOOL asked under whose orders Colonel Adams acted?

Dr. LUSHINGTON replied, that he acted under the command of the Marquis of Hastings. On the 16th of February, Sir Thomas Hislop, under the directions of Lord Hastings, ordered the two divisions under the command of Colonel Adams and Sir John Malcolm, to be struck off the Deccan army, and directed them to consider themselves thenceforward as under the exclusive command of the noble Marquis. On the 16th of April, Colonel Adams defeated the Peishwa, and subsequently Sir John Malcolm came up with him, and compelled him to capitulate. Thus it appeared that two of the most important services of the campaign were performed by officers under the command of Lord Hastings.

The EARL of LIVERPOOL said, that their Lordships wished to know what was the situation of the Marquis of Hastings at that time.

Dr. LUSHINGTON said, that the Marquis was then at a place within the Bengal territory, but called "in the field," and his Lordship, whilst there, superseded every Commander in the district. The learned Counsel concluded by affirming that the opposite party had failed to make out their case to the exclusive possession of the booty, and that therefore the Grand Army was entitled to participate in it.

- It being four o'clock, their Lordships adjourned till to-morrow.

*Thursday, January 12.*

Mr. HARRISON entered upon his reply to the observations of the Counsel on the opposite side. His learned Friends had not, he said, succeeded in subverting any principle or fact which he had advanced. He still maintained that it was the exertions of the Deccan army which had led to the expulsion of the Peishwa from his territories, and that consequently that army was entitled to the whole of the booty discovered. Before the 31st of March, the Deccan army had obtained absolute control and dominion in the Peishwa's territories; in consequence of which, the Company were enabled to appoint their civil agents to superintend particular districts. Captain Briggs, the Company's civil agent, who took possession of the treasure at Nassuck, was appointed so early as the 10th of March. On the 11th of February 1818, the Company issued a proclamation, declaring that the Peishwa was dethroned, and that he would never again be allowed to resume his sovereignty. At that period, the exertions of the Deccan army had obtained for the Company that full and perfect dominion in the Peishwa's territories which they had ever since retained.

The EARL of LIVERPOOL asked, whether the Peishwa had not troops with him when he fled from Sir T. Hislop?

Mr. ADAM said, "Yes."

Mr. HARRISON admitted the fact.

The EARL of LIVERPOOL.—Had he not forts, in which his flags were flying?

Mr. HARRISON said there certainly were some Arabs in the forts, who held out because they wished to get their pay, but that did not at all affect the question. If the Peishwa was to be considered in possession of the country because he had men in those forts, then the troops who reduced the forts might be said to have conquered the country. One of his learned Friends had talked of the Peishwa having capitulated. That was a mistake. There was nothing like a capitulation.

Mr. ADAM here produced a copy of a capitulation entered into between the Peishwa and Sir John Malcolm, in the first article of which the former binds himself to renounce, for himself and his successors, all right and title to sovereignty.

Mr. HARRISON said, he had not been aware of the existence of the document now produced. He had always understood that the Peishwa had been treated by Sir John Malcolm as a conquered prince.

The EARL of LIVERPOOL observed, that the Deccan army party, in one of their own papers, spoke of the Peishwa "having accepted propositions made to him, and surrendered."

Mr. HARRISON said, that the capitulation contained no qualification of the former conquest, which was complete without. He then proceeded to argue that the Grand Army could have no claim to participate in the booty, inasmuch as it was dissolved on the 21st of February, and the Marquis of Hastings proceeded to the borders of the Nepaul states to enjoy the relaxation of tiger-hunting. After briefly recapitulating his arguments, the learned gentleman concluded.

The Counsel and strangers then withdrew.

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#### DECISION ON THE CASE OF THE DECCAN BOOTY.

*Copy of Treasury Minute of 16th January, 1826.*

##### PRESENT :

The EARL of LIVERPOOL;  
The CHANCELLOR of the EXCHEQUER;  
MR. BERKELEY PAGET;  
LORD LOWTHER;  
LORD GRANVILLE SOMERSET.

MY LORDS, assisted by the trustees of the Deccan booty, Lord Bexley, and the Law Officers of the Crown, having heard counsel on behalf of the Marquis of Hastings and the grand army, and also on behalf of Sir Thomas Hislop and the army of the Deccan, upon the subjects of the discussion relating to the distribution of the Deccan booty, which have arisen out of the difference between the actual circumstances attending the capture of a large proportion of that booty, as stated by the trustees, and those which were assumed at the hearing before their Lordships in January 1823; and having maturely considered the arguments severally stated by the counsel, and also the whole documents upon the subject of this booty now before the Board, are of opinion,—

1st. That with respect to all that portion of the booty, now at the disposal of the Crown, which is described as having been "taken in the daily operations of the troops," the distribution thereof should be made to the actual captors,

according to the terms and conditions of the Minute of this Board of the 5th of February 1823, and of the warrant of his Majesty of the 22d of March following.

2d. That with respect to that part of the booty which consists of the produce of arrears of tribute, rent, or money due to the Peishwa, it appears to my Lords to have been acquired by the general result of the war, and not by the operations of any particular army or division; and they are of opinion that it ought, therefore, to be distributed in conformity with the alternative stated in their Minute of the 5th of February 1823, as being "the only correct or equitable rule, if the principle of actual capture cannot be adopted," viz., "amongst the forces of all the Presidencies engaged in the combined operations of the campaign."

3d. With respect to the property captured at Nassuck, my Lords are of opinion, that the booty recovered at that place cannot be distributed upon the principle of actual capture, and ought, therefore, to be divided amongst the forces of all the Presidencies engaged in the combined operations of the campaign.

4th. With respect to the booty recovered at Poonah, alleged to have been removed thither from Raighur, my Lords are of opinion that this booty cannot be distributed upon the principle of actual capture to the force by which Raighur was taken, under the orders of the Government of Bombay, unless it can be proved by the captors of Raighur, that the property in question was actually in that fort at the time when it was taken; in default of which proof, my Lords are of opinion that this booty, also, ought to be distributed among the forces of all the Presidencies engaged in the combined operations of the campaign.

5th. With respect to that portion of the booty which is stated to consist of money recovered on account of deposits made by the Peishwa, my Lords are of opinion, that any part of this property which can be proved to have been in Poonah at the time when that place was captured, viz., on the 17th November 1817, ought to be distributed to the captors of Poonah, according to the terms of the Minute of the 5th of February 1823, upon the principle of actual capture; but that with respect to those parts of the above property, as to which such proof cannot be established, such monies or effects must be considered as having been acquired by the general result of the war, and, as such, ought to be distributed amongst the forces of all the Presidencies engaged in the combined operations of the campaign.

6th. With respect to the share of the Commander-in-Chief in the distribution under the several heads above enumerated, my Lords are of opinion, that the Marquis of Hastings ought to share, as Commander-in-Chief, in all those cases in which Sir Thomas Hislop is not entitled to share as such, under the terms of the Minute of the 5th of February 1823; wherein it is declared, "that Sir Thomas Hislop, as Commander-in-Chief of the Deccan army, and all the officers of the general staff of that army, are entitled to participate in the booty which may arise from any capture by any of the divisions of the army of the Deccan, until the said army of the Deccan was broken up on the 31st of March 1818.

My Lords are further of opinion, that the general rules of division hitherto adopted in distributing booty to the forces in India, among the several classes and ranks of the army, should be adhered to on the present occasion.

(A true copy.)

(Signed) J. C. HERRIES.

Whitehall, Treasury Chambers,  
18th January 1826.

## DEBATE AT THE EAST INDIA HOUSE.

*East India House, Jan. 18.*

A GENERAL Court of Proprietors of East India stock was this day held at the House of the Company in Leadenhall-street, pursuant to an adjournment from the 21st of December last.

The Minutes of the last Court having been read—

Mr. S. DIXON observed, relative to the manner in which the meetings of the Court of Proprietors were advertised, that it appeared no notice had been given of the present meeting through the newspapers. This might have taken place on account of its being only an adjourned Court, but there might be many of the Proprietors unaware of this fact, without a regular notice.

He hoped that for the future, although the Court might meet pursuant to adjournment, a public notice would be given of the day on which a General Court would be held.

The CHAIRMAN stated, that the honourable Proprietor's complaint must have arisen from the circumstance of the advertisements not having been inserted on certain particular days in such papers as the honourable Proprietor might be in the habit of reading. The meeting had been regularly advertised, and the notice appeared in the 'Morning Herald' of this day.

Mr. S. DIXON mentioned, that he daily took in both the 'Morning Herald' and the 'Times', but that in neither of these papers did he see the advertisement. Perhaps it might be in those of this day, but he had not seen the meeting of the Court advertised in the ordinary manner.

The CHAIRMAN.—I beg to assure the Honourable Proprietor that the meeting has been duly advertised.

General THORNTON.—I saw it several times advertised, and in different papers.

## COMPANY'S SHIPPING.

Captain MAXFIELD inquired whether the papers respecting the shipping of the Company, which he had moved for at the last General Court, were ready?

The CHAIRMAN said they were not yet ready. The subject had been referred to the proper Committee, and a report would be made to the Court as soon as possible.

## CASE OF MR. BUCKINGHAM.

The CHAIRMAN.—I have now to acquaint the Court that this meeting, pursuant to adjournment, is made special for the purposes stated in the Requisition, which shall be now read.

The Clerk then read the Requisition as follows:—

"To the Chairman of the East India Company, &c.

"London, Dec. 3d, 1825.

"SIR,—We, the undersigned Proprietors of East India stock, being duly qualified, request you will be pleased to let the ensuing Quarterly General Court of Proprietors be made further special, for the purpose of taking into consideration the following propositions:—

"That there be laid before this Court copies of all correspondence between the Court of Directors and Mr. J. S. Buckingham, late Proprietor of the 'Calcutta Journal', respecting his claims for reparation of the injury sustained by him in his property in Calcutta, in consequence of the measures of the Bengal Government.

"Also, copies of all proceedings of the Bengal Government referred to in the correspondence before named.—We have the honour to be, Sir,

"Your obedient servants,

"DOUGLAS KINNAIRD.

"JOSEPH HUME."



The Hon. DOUGLAS KINNAIRD.—In introducing the subject which I feel it my duty to bring before the Proprietors, I am extremely anxious to state in the out-set what it is my intention not to do, rather than to enter into a detail of what I mean to do; because, unfortunately, in the discussion of all subjects very considerable latitude is allowed to speakers; and the consequence is, that the real question to be debated is very frequently overlaid by collateral and incidental matter. I now most distinctly state, that it is my intention, and that it shall be my most earnest endeavour, to keep the subject which I am about to introduce to the notice of Proprietors of East India stock and to the English public, totally and completely distinct from the general question respecting the press in India; and also entirely free from the question whether the Government in India has acted in a wise or unwise manner, by the adoption of certain measures with respect to the press, for the purpose as they alleged of enabling them to carry the views of Government the more readily into effect. Whether those measures have been wise or unwise, I will not now stop to inquire; but I will prove that they have been the cause of unnecessary, unmerited, and severe injury to a most deserving individual. I am not now debating the question, whether other measures might not have been adopted, which would have effected the object Government had in view, without producing the evil of which this individual complains; but I will call the attention of the Court to this single fact, that great injury has been inflicted on him—injury that I think could not be contemplated by the Government; I say this, because I have never heard that Mr. Buckingham has been accused at any time, or by any person, either publicly or privately, as having been guilty of any act which would render him unworthy of the respect and confidence which he has long enjoyed amongst all those to whom he is known. I will confine myself to the simple proposition, that a most serious injury has been done to an individual,—an injury growing out of certain measures which the Government in India deemed it necessary to adopt with reference to a control over the press in that country: and I beg leave to state most explicitly, that I do not mean to hint any thing whatever, as to whether the Government were right or wrong in placing the press under a censorship, or in adopting the system of license, considering those subjects as quite distinct from that under deliberation at present.

I am not competent, (neither would it be agreeable to Mr. Buckingham, the Proprietors, or to myself), to give, in a narrow compass, an adequate idea of the gentleman whose case I am about to bring forward. I will therefore only state the leading features of his life, and detail those circumstances which, without any fault or error on his part, rendered him the object of unjust and improper suspicion. Mr. Buckingham has long suffered under calumny and obloquy, but he has at length completely triumphed over the alleged improprieties which had been laid to his charge; and proved, beyond the possibility of doubt, that there had been nothing in his public or private conduct that in the slightest degree deserved reproach or blame. It is now well known in what way the hostility against Mr. Buckingham originated; and I feel it necessary to mention the circumstance, because, I believe, in my conscience, had it been originally understood, that, so far from going out of their way to punish Mr. Buckingham, the Government would have been rather disposed to act with lenity towards him. I will now point out the reason of the butery raised against Mr. Buckingham.

On his way to India, Mr. Buckingham met with a gentleman named Bankes, the present Member for the University of Cambridge, and, unfortunately for him, he remained some time in the company of that individual. Mr. Buckingham wrote two volumes, the result of his travels in the East. They were of course open to the examination and the criticism of every man of science and literature; and I believe the result is, that Mr. Buckingham now ranks as a considerable benefactor to this curious, instructive, and amusing branch of literature. He arrived in India with views far different from that of publishing his travels; but having the opportunity of giving them to the world, he thought fit to avail himself of it, and sent forth a statement of the nature of his work, for which a respectable bookseller offered him a very large consider-

ration. Not many months, however, had passed by, before a statement arrived in England, which was in the first instance made known through an honourable friend of mine, Mr. Hobhouse, which struck directly at the root of Mr. Buckingham's reputation. That statement was contained in a letter from Mr. William Bankes, in which he proclaimed Mr. Buckingham to be a literary thief; and asserted, that the principal part of Mr. Buckingham's work had been stolen from him. This letter was placed open in the hands of Mr. Hobhouse. He, knowing the writer of the letter to be a gentleman of refined education, and connected with one of the first families in England, could not refuse credence to the charge. He could not conceive that any man would boldly state that as a fact which had not a just foundation. The charge having been circulated, not only did the bookseller, Mr. Murray, of Albemarle-street, refuse to publish the travels, but an article appeared in a quarterly publication under the influence of Mr. Murray, written by Mr. William Bankes himself, describing Mr. Buckingham as a most immoral character and a mere *charlatan*. (*Hear, Hear.*) The consequence necessarily was, that a universal impression, unfavourable to Mr. Buckingham—an impression which time and talent could alone enable him to overcome—spread itself all over India. Consider, I beseech you, what a melancholy situation was this to be placed in. Here was a man in a foreign country, where he had hoped to have acquired honour and independence, held up to contempt, and dishonoured in the eyes of every one. The judgment of individuals was warped, and the intercourse of many with Mr. Buckingham was suspended, until he could exonerate himself, and prove that he had been most unjustly treated.

These were the humiliating and disadvantageous circumstances under which Mr. Buckingham was placed, whilst he was filling what, I will venture to say, was one of the most arduous, and, at the same time, one of the most useful, situations which can be pointed out in society,—a situation which, when the duties imposed by it are creditably and honourably fulfilled, while they benefit the individual, also render essential service to the country. (*Hear.*) Mr. Buckingham became the conductor of a daily newspaper. When it is recollected that extraordinary temptations must of necessity present themselves in such a situation; when it is considered, that though a man placed in a post of this description, may at times feel inclined to forbear, yet still must act as a public censor of public conduct,—much, in my opinion, ought to be allowed to those who have the guidance of so powerful and so useful an instrument. It is evident that a newspaper can only circulate in India amongst that class of persons which possesses ample means, as well from situation as from education, of duly appreciating the merits of a journal; and I believe that Mr. Buckingham's Paper attained a circulation, and produced a profit, far greater than was ever before known in India, and equal, perhaps, to any that was ever realized in this country by similar property. In the course of five years, very large sums of money and a vast deal of labour were expended in establishing this Journal. At the end of that time, it produced a net profit of 8,000*l.* per annum; and when Mr. Buckingham had paid all his debts, (for he was obliged to borrow money at the heavy rate of interest common in India,) he vested 20,000*l.* in buildings, and in setting up the Colombian Press, which was the finest establishment of the kind in the British colonies, whether in the East or in the West. One quarter of the Paper he sold to a hundred independent gentlemen for the sum of 10,000*l.*, which he received in hard cash. One hundred individuals became thereby contributors to, and interested supporters of, the Journal. All this showed the well-founded prospect which existed of permanent success to this Paper, and that it would continue progressively to increase in value. This success, I must observe, too, was obtained in despite of all the imputations which had been cast on Mr. Buckingham. Those imputations were at the time still unremoved, because it was impossible that proofs of their falsehood could be immediately produced. It required a longer period to bring them forward than had then elapsed. Mr. Buckingham had been stigmatized not only as a speculating adventurer, but as a literary thief. Those charges have since been brought to the test in this country, and the investigation has left the

character of Mr. Buckingham pure and unspotted, without a shadow of stain or imputation. (*Hear, hear.*) Mr. Buckingham stood forward as an individual in the first class of society in India; he stood forward as a man of honour, a man of integrity, as a moral man. He discharged his public duty fairly and honestly, without swerving, in the slightest degree, from those principles which he conscientiously believed to be correct. Had he swerved from those principles, had he shown a great deal of worldly wisdom, perhaps he might still have continued in India. (*Hear, hear.*) He certainly, I will admit, did not act the part of a man worldly wise; many observed, that he could only seek his own ruin by pursuing the straight-forward course he had adopted; and, therefore, it was a fair presumption that he was influenced by a just and proper feeling. (*Hear.*) Placed at the head of that Paper, he proved himself to be a skilful conductor of the establishment; and as such, every unprejudiced mind admitted that the undertaking deserved all the success which had attended it. Mr. Buckingham, in this situation, was enabled to clear his character in the eyes of those who took the trouble to inquire into the circumstances of his case, and deemed it advisable to judge for themselves. This I will boldly say, that nothing was ever heard in derogation of the good and estimable character of Mr. Buckingham, until Mr. Bankes's statement appeared; and I will further say, that no man, whose mind is not prepossessed and prejudiced, can read the vindication of Mr. Buckingham, and not be entirely convinced by it of his innocence. (*Hear.*) I will not, however, deny, that the political enemies of Mr. Buckingham, the editors of other newspapers, made the charges of Mr. Bankes the ground for abuse,—for abuse the most horrible. I have myself received a statement from Doctor Bryce, under his own hand, in which he declares his belief of Mr. Bankes's accusations; and the Government of Bengal, no doubt, still believes that Mr. Buckingham was a literary swindler. This feeling will, of course, remain, until the truth goes forth to India from the courts of justice here, where, while, thank God, a man remains master of a few hundreds, he can go before a jury and demand justice. Mr. Buckingham has done this; no proof was offered to support the calumnies which were levelled against him; quite the reverse. Apologies have been made to him, and the charges are admitted to have all been false! Not even one witness was called in support of them. The calumnies of Mr. Bankes are thus proved to have been utterly groundless; but the sufferings of his innocent victim have not been the less severe; (*hear.*) for the end was, that Mr. Buckingham's ruin in India was accomplished. I assert, that there is not in existence a more estimable or conscientious man than Mr. Buckingham. He did not ask a shilling damages; all his anxiety was, that his character should be cleared: for I wish you to understand, that when nominal damages were accepted, there was an express agreement that the whole costs should be paid by the defendant, as some equivalent, however wretched, for the many evils which those calumnies had drawn upon Mr. Buckingham; but as to compensation, he has received none from those to whose calumnies he has become the victim. One of the actions which Mr. Buckingham brought was against the publisher of the 'Quarterly Review,' for having inserted that most injurious and unfounded statement contained in the article on Mr. Buckingham's Travels. Mr. Murray, at the time, believed it to be true, and therefore, towards him, Mr. Buckingham entertained no hostile feeling. The feeling he had, was a strong desire that his character should be rescued from obloquy. (*Hear.*) Similar conduct he observed towards Mr. Bankes, senior, who made no attempt to justify his letter. This I do not mention with any intention to reproach Mr. Bankes, who rather deserves sympathy than blame, as he was led into an error. I wish to do justice both to Mr. Bankes, senior, and Mr. Murray, as I have it from Mr. Murray's own lips, that both he and Mr. Bankes, senior, would be happy to do any thing they could to compensate Mr. Buckingham for the injuries they have unwittingly been the means of inflicting on him.

This brief narrative will, I think, account for the discreditable way in which Mr. Buckingham has been treated by numbers of persons in India. He has been in consequence a severe sufferer; but now that his vindication in a

court of justice has gone out to India, his triumph, as far as regards his reputation, is complete. And here I will take the liberty of calling the attention of the Court to a circumstance, which will show the subjection in which the public mind was still kept in India, up to the date of the last advices on this very subject. When the second volume of his 'Travels' was published, Mr. Buckingham appended to it a variety of documents, in order to refute the injurious statements which had appeared in the 'John Bull,' and other journals of Calcutta. Will it be believed, that Mr. Buckingham's agents in Bengal, when he sent to them the advertisement of the publication of this book, were afraid to insert the latter part of it? The advertisement gave notice of the publication of "The second Volume of 'Travels in Syria,' with an Appendix, containing a refutation of the Charges of Mr. Bankes, &c." Mr. Buckingham's agents did not insert the concluding part of the advertisement, though it had appeared in all the English papers; and no doubt can be entertained but that the real cause of this suppression was an apprehension that it would be offensive to the Government. (*Hear, hear.*) These are the effects which, unfortunately, power, rigorously exercised, produces upon men's minds. I state this as an indisputable fact, that the agents refused to insert the advertisement in its original form, for fear of giving offence to the Government. (*Hear.*) This proved beyond question how far the Indian public identified the 'John Bull,' and other papers of a similar description, with the Government of that country. From this supposed connexion between these papers and the Government, it was, that the agents feared to publish the advertisement in its original shape. God forbid that I should assert that any such connexion does exist; I have no such meaning: but I state the fact, in order to show what a *black sheep* Mr. Buckingham was considered; that he was regarded, upon his arrival in India, as a literary robber; and that, until he was purified in an English court of justice, the 'John Bull,' and journals of the same character, would not desist from declarations of their entire belief of Mr. Bankes's statement. The Court will of course understand that I do not mean the 'John Bull' published in this country, but a paper of the same name established in India. Mr. Buckingham has been held up to obloquy as a man of the worst character,—as a person who can claim no sympathy from civilized society,—who is unworthy of compassion. I do not feel ashamed to avow, that I feel no displeasure at witnessing that indirect species of justice which is visited by society on men of bad character; but I also think that society should deal out equal justice to all, and not award punishment before the fact of the guilt be proved. If Mr. Buckingham was in reality the man his enemies described him to be, I am not the person who would come into this Court to advocate his cause. Even though a man's cause may be good, if he have a bad character, it creates an impression against him, and tends to place him on a worse footing than he otherwise might have; and I know of no distinction between good and bad, between vice and virtue, more strong or more important than the feeling which produces this effect. But Mr. Buckingham defies calumny. He challenges the world to utter, with truth, one word against his possessing the purest and most unsullied reputation; and when he does this, will you not exhibit some small portion of kind feeling towards him, and afford him (if you can consistently with your own interests) some relief; or, I will put it in plain terms, do him justice?

While I acquit Mr. Bankes, senior, and Mr. Murray, of all hostile private feeling against Mr. Buckingham, I am also disposed to acquit the Government of Bengal upon the same grounds. At the time that Mr. Buckingham left India, he was, of course, obliged to submit to the laws which compelled him to leave that country, where his property lay, and where all his hopes were centred. The Governor-General's decision necessarily involved this consequence; and I do not ask for remuneration upon that ground. But I do upon another: I do think that relief should be extended to him upon account of the very extraordinary and unnecessary measures resorted to by the Bengal Government after Mr. Buckingham's departure from the country. I defy contradiction to the fact, that those measures were unnecessary; and I

say it is equally well known, that they were productive of enormous injury to Mr. Buckingham. Upon his leaving India, another editor was appointed; and, in a short time, the Government formed a determination to put the press under license. The editors were obliged to be responsible for every article which should appear in their papers; and if they fell into error, the Government could deprive them of their license for printing: thus, in point of fact, subjecting all property in the press to actual annihilation, by what is *nominally* a mere suspension of the license. This was the state of things when the then editor, or one of the proprietors, wrote an article, which, it seems, was displeasing to the Government, and the license was suspended. No renewal of the license was given; the consequence is, that Mr. Buckingham's property has been ruined, and my object is to procure compensation for the losses he has sustained. I hold in my hand printed documents, which will clearly explain this part of the subject. I offer them in order to prove that Mr. Buckingham has suffered most seriously, through the *unnecessary* acts of the Government. I do not ask you to give any credit to these documents, further than to any other papers that might be produced and thoroughly examined by you, if you chose to call for them. A gentleman of the name of Muston, who was a servant of the Government, had a wish to become editor of this Journal, and to take the types, &c., which belonged to the establishment. A license, however, was, in the first instance, necessary, and his endeavours to attain that object encountered very great difficulties. During the negotiation upon this subject, he felt himself placed in such a very equivocal situation, as between man and man, with reference to Mr. Buckingham, that he judged it necessary to transmit to him copies of his correspondence with the persons in office upon the subject. It was, of course, the desire of Mr. Buckingham that an editor should be appointed, that his property might produce him some return; and as the Government still retained the power of suspending the license whenever they chose, they could have nothing to fear from this arrangement. As they had the power of destroying the license any morning they got up, could there, I ask, be any good reason for withholding the boon in this instance? When a man, without any imputation on his morals, offered to become editor of the Paper, why would they not permit him to go on with it? They could have said:—"We allow you to publish, but remember it is at your peril. Perhaps you may not have the circulation of even half a day; for if you offend, we will assuredly revoke your license. However, go on now." This rational mode was not, however, that adopted by the Government. After a long delay, they *refused* the license, and Mr. Buckingham was ruined.

[Here the hon. Proprietor read, *seriatim*, the documents already published in the *Oriental Herald* for December last, to substantiate his assertions as to the ruin of Mr. Buckingham having been effected solely by the measures adopted towards his *property* by the Government of Bengal, *after* his departure from that country. The hon. Proprietor commented upon the different parts of these documents, with great acuteness and considerable humour, as he went along.]

Such, Sir, is the correspondence which I have deemed it necessary to lay before the Proprietors. I have read it for the purpose of fully acquainting them with what I sincerely consider to be the most unjust proceeding I have ever heard of. If the Government of India really feared that any ill consequences were likely to arise from Mr. Buckingham's possessing a control over those types—from his having an influence over his own property—then I could conceive why they acted in this manner. But I cannot believe that any such fear existed; and, therefore, I am quite at a loss to account for the course which had been pursued, unless by supposing that the Government were desirous of striking terror into the minds of all those who were disposed to mention the name of Mr. Buckingham with respect. Sir, I can most clearly prove, by the books of Messrs. Alexander and Co., that Mr. Buckingham has lost many thousand pounds, in consequence of the system which the Government adopted with respect to his property. Can any gentleman rise and assert, that there was any connexion between Mr. Buckingham, as a

proprietor of this Journal, and the owner of those types, and his conduct at the period when he acted as Editor? The two things cannot, by any ingenuity, be mixed together. The Government, when the license was applied for, had in their hands the power of annihilating the press if it offended them. What then ought they to have done? They ought to have said, "Let the paper go on. It concerns not us what proceeds it may return to Mr. Buckingham. We know, that if the concern be misconducted we can put it down at once." Mr. Buckingham might have disposed of that property in this country, unconscious of the events which were taking place in India. And had he done so, what would have been his situation if, when called upon to fulfil his contract, he found the means of doing so had been wrested from him? Might he not have borrowed 10,000*l.* on this property, under the conscientious idea that he possessed the means of repaying every farthing of the loan? If he had done so, what must be his sensation when he discovered that the property on which he calculated was, by the acts of Government, deteriorated to an immense extent? I maintain, Sir, that, in a court of law, the holder of this equitable security for money advanced, would have a strong case against the Bengal Government for destroying, on account of some old grudge, the property of Mr. Buckingham, on the supposed stability of which he had been induced to lend his money.

I wish not to bring the conduct of the Bengal Government before the Court. I am sure no good, no benefit, could arise from such a proceeding; because they have conducted themselves so absurdly, in a way so repugnant to common sense, that, I feel confident, no Government of India will hereafter tread in their footsteps. But I am impelled, with feelings which I cannot describe, to advert to the peculiar situation in which Mr. Buckingham stands at this moment. He has vindicated his character in the face of the world in the most satisfactory manner; he has risen above all the calumnies that were so industriously heaped on him; and having done this, having done all that could be expected from an honourable man, how is he now situated? Sir, I will tell you, and I have Mr. Buckingham's authority for stating the melancholy fact. His circumstances are so much impaired, in consequence of the events which I have narrated, that he knows not how soon (perhaps before another General Court is assembled) he may be placed within the walls of a prison, and rendered incapable of continuing those pursuits from which he hoped to derive reputation and to secure emolument. My heart yearned within me when I heard the tale of his distresses, and the various details of the vexatious and expenses to which he had been subjected. He has become the victim of circumstances, which it was not in his power to control; and if he has not succeeded in obtaining justice, it cannot be said that he was sparing either of expense or exertion to procure it. Every one who knows Mr. Buckingham will agree with me, when I say that there does not exist upon the face of the earth a more honourable man than he has proved himself to be. He has exhibited throughout all his trials a patience and a forbearance the most honourable to him. He has claims not only on the justice, on the humanity, but also on the liberality of the Company; and I feel persuaded, that the Proprietors will most cheerfully consent to such relief as may enable Mr. Buckingham to meet those engagements, which the total destruction of his property in India has disabled him from fulfilling. A grant of 5000*l.* from the India Company will be highly honourable to those who bestow it, and will enable him who receives it, to resume that rank in the community to which the admiration and respect of all unprejudiced persons declare him to be entitled. For my part I am convinced, if ever virtue has a title to reward, that this claim of Mr. Buckingham should be attended to. (*Hear.*) My feelings on the subject are both strong and deep, for I know Mr. Buckingham to be no ordinary man, neither have his injuries been of an ordinary kind, and, therefore, I express my sentiments with that warmth which I feel the circumstances of the case justify. (*Hear, hear.*) I freely admit that Mr. Buckingham has uttered opinions decidedly opposed to the restrictions on the press in India; but how has he acted on this very subject? He has gone before the Privy Council to have, at his own expense, this great

public question fairly decided according to law. It is no doubt true that the decision was against him, but it is equally true, and should be always borne in mind, that he did not resort to clamour for the purpose of carrying his point. On the contrary, he had at once brought the matter fairly to issue, at a very heavy expense to himself, though the object was a public one, the issue of which could no longer benefit his private interests, as his press had been already destroyed. This measure, as well as other legal proceedings, he had instituted, supposing that he still was the possessor of great resources, and he was willing to devote them to these public ends. He believed, and a very just right he had so to believe, that his property in India was still worth many thousand pounds. But in place of that, he soon learned from Messrs. Alexander and Co., his agents, that so far from having any property in their hands, the proceedings of the Government there had entirely dissipated the large balance he had left in their possession, and entailed such further ruinous expenses, as to make him their *debtor* for 4000*l.* or 5000*l.*, while he expected to have received from them more than four times that sum !

I am well convinced, that if the public of England, or of India, were appealed to on the behalf of Mr. Buckingham, there are hundreds of our fellow-countrymen who would gladly press forward to his assistance. I myself know of many persons who would most willingly come forward upon such an occasion ; but I think it would be far more creditable to us as India Proprietors, and certainly more agreeable to Mr. Buckingham himself, that the East India Company, from whose Government he has received these injuries, should be the first to take up his case. (*Hear.*)

I repeat, that their doing so would have no relation whatever with the general question of the press in India, or to the measures which the Indian Government had adopted for its control. There can be no doubt that Mr. Buckingham is entitled to compensation for the losses he has sustained, and I trust that this Court will not hesitate respecting the means of granting that compensation. The grant recently bestowed on Mr. Arnot was not awarded on account of loss of property. I do not ask you to *give* a sum of money to Mr. Buckingham on account of any suffering, bodily or mental, that he has endured. True it is, that he *has* suffered heavily ; but my claim on behalf of Mr. Buckingham leaves his sufferings out of the question, and is grounded on actual and positive loss of property. Mr. Arnot, like many other literary men, (and I do not say it with any disrespect,) may never have possessed a fortune, although no doubt he might have had abilities to obtain an independent one. But Mr. Buckingham, on the other hand, had actually *realized* a fortune, which was destroyed in the manner I have stated. I can form no notion of the distinction which would bestow remuneration on Mr. Arnot, yet would refuse restitution to Mr. Buckingham. It may be said, that the ship in which Mr. Arnot sailed was burned, and that for his losses on that occasion he had a fair claim for compensation ; but on this point I must observe, that every person coming home from India, to whom such an accident occurs, would have just as fair a claim.\* Mr. Buckingham's claim, however, stands in no need of such support ; it stands distinctly upon its own merits. Perhaps we may succeed in coming to some arrangement that shall be agreed to on both sides of the Bar, so to form a Committee for the consideration of this subject. Mr. Buckingham will bring forward documents to show what price he could have obtained for his property, if justice had been done to it, and let the Committee decide to what remuneration he may be fairly entitled. Indeed I am of opinion that a proposition for compensation would come with much better grace from the Directors within the Bar, than from the side of the Proprietors. I should greatly prefer that the production of those papers, on which a grant of 5000*l.* might be grounded, should be proposed by some member of the executive body, than by any ordinary individual Proprietor. But as the

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\* *i. e.* If Mr. Arnot was justly and lawfully confined on board of that vessel, therefore the compensation made to him is, in reality, on account of the illegal treatment, not the unforeseen accident, as some would pretend.

matter now stands, I have felt it my duty to bring forward a motion for the production of those papers, that the whole case should, as far as possible, be placed in an official shape before the Court of Proprietors. A grant to Mr. Buckingham would, in my opinion, do the highest honour to the East India Company, and would be only an act of common justice to that deeply-injured individual. The hon. Gentleman concluded, by moving for the production of the papers mentioned in the Requisition.

Mr. HUME seconded the motion.

Mr. POYNTER.—In considering this question, and in making a few comments on the address of the hon. Proprietor who brought forward this motion, and which I shall make as few and as brief as possible, I beg the Court will understand that I mean to apply myself less to the observations which have been made by the hon. Gentleman, than to the omissions which, singular and remarkable as they are, strike me as being the leading feature of the hon. Member's speech. I am old enough, as well as most of those around me, to recollect an appeal made by Mr. Buckingham in person to this Court, which showed very different grounds, indeed, for the conduct of the Bengal Government, and those are the grounds which the hon. Mover has this day omitted. I cannot do, however, as the hon. Gentleman wishes; I cannot lay aside altogether the motives by which the Government were induced to act as they had done. The principal question seems to me to be, which of the two parties, the Government or Mr. Buckingham, had acted correctly? If Mr. Buckingham has been wrong, then the Government must have been right—and *vice versa*, if the Government has been right, it must necessarily follow that Mr. Buckingham has been wrong. It is impossible that they can both be right. Now, let us hear what the Government has alleged. It is this—that Mr. Buckingham, as editor of a public journal, made a long series of the most *unprovoked* attacks against the Government, and those attacks were the substantive grounds of offence, upon which the Government subsequently proceeded. The Government said to Mr. Buckingham, "You are endeavouring to sow the seeds of sedition and danger in this empire, and consistently with the duty which we owe to the people of India, to the people of England, or to the world at large, we cannot allow you to proceed." (1)

Mr. GAHAGAN rose to order. I beg to say that the hon. Proprietor is not applying himself to the question. He is answering a former speech delivered on a former occasion. In another assembly of higher consequence than this, (though to this Court I attach a very high importance,) it is considered irregular in the extreme to answer, or even to advert to, any thing which may have been said on a former debate. If you recognize this principle, then I contend, that the hon. Gentleman is out of order, because he is not replying to what the hon. Mover has this day said, but applies himself to another subject which has been previously discussed.

Mr. POYNTER.—Mr. Chairman, I leave myself entirely in your hands, and those of the Court.

Mr. R. JACKSON.—It strikes me, that the manner in which the motion is drawn up, has given the hon. Proprietor a full opportunity to pursue the course which he has taken. The Court will observe, that, in addition to the proposition for laying before the Proprietors the correspondence of the Court of Directors with Mr. Buckingham, these words are inserted in the motion, viz. "That there be also laid before the Court copies of all the proceedings of the Bengal Government referred to in the correspondence before named." This opens the whole question, as such a reference undoubtedly includes every thing which has passed on the subject. (2) If the motion were con-

(1) Mr. Poynder has quite mistaken the question. The whole of the present proceeding was to seek redress for injuries done to Mr. Buckingham, long after he had ceased to be in India, and consequently long after he had ceased to act there. For his *own* acts he had been punished by banishment—it was for the acts of *others* that his property was destroyed.

(2) This is not correct; for "the proceedings referred to in the correspondence" *Oriental Herald*, Vol. 8.



fined to the first proposition, then the range of observation must, no doubt, have been limited to that point, and the hon. Proprietor would have been out of order if he diverged from it. But as the motion now stands, it appears to me, that the demand for the other papers clearly allows the line of argument chosen by the hon. Proprietor.

Mr. POYNDER.—I am of opinion, that the view of the subject just taken by the hon. Gentleman will completely satisfy the Court; and whether I refer to that Gentleman's speech or not, I think I cannot avoid reviewing the antecedent conduct of Mr. Buckingham. Indeed, upon the present occasion, it would be impossible not to take notice of that conduct; and I shall take the liberty of describing, in as few words as possible, what that conduct was. I do hope that the language of the quotation, which I am about to use, will not be deemed harsh or improper. The judicious Hooker makes the remark, that "He that goeth about to persuade a multitude that they are not so well governed as they should be, never wants attentive hearers." Mr. Buckingham has given full proof of the truth of the maxim. He "went about" endeavouring to persuade the people of India that they were not so well governed as they ought to be, (3) and there is no doubt that his auditors were both numerous and attentive. In the first instance, however, the Government did not apply the *strong arm* with respect to him. They rather showed a *paternal feeling* towards him. They only made a remonstrance to him, and intimated, that if he persevered in *such* a course, they could not, consistently with their duty, and the great interests intrusted to their care, do otherwise than *interfere*. (1) Their remonstrance, however, was of no avail; and if the time would permit as well as my recollection does, I could cite a variety of instances in which the attacks of Mr. Buckingham were of such a nature as could not be borne by the Government of India; nay, even more, such as would not be tolerated by the Government of England. (5) (Hear.) The Government of India, while they had any regard to the interests they were bound to support, could not endure such charges and such reproach to pass without notice. Yet it was not until this system of abuse had gone on for a very considerable length of time, and in actual despite of entreaties, and of warnings, and of appeals, that Mr. Buckingham's license was withdrawn. (6) These are matters which I cannot dismiss from my recollection,

"ence" were all *subsequent* to Mr. Buckingham's departure from India, relating only to the destruction of property *since* his leaving the country.

(3) This is an accusation which may be raised against every man in every country that ever suggested any improvement, or ventured to doubt the world's having arrived at the *ne plus ultra* of perfection. If it be true that there is any thing needing amendment, it is a virtue to point it out. If Mr. Poynder thinks that nothing in India stands in need of improvement, he must think it the best governed country under the sun: for there is no other government known of which the same thing can be safely affirmed.

(4) There could be no objection whatever to the *interference* of Government to prevent any thing improper. It is the *manner* of interference that was wrong. In England, if a man be caught in the act of committing even a murder, he is apprehended, imprisoned, and tried; and if found guilty, he is punished with death. In Turkey, if a man is suspected of being disposed to do anything which the Sultan dislikes, he is seized and strangled without a hearing. In both cases the Government may be said to *interfere* to stop the progress of what is offensive to them: but the one is justice, the other despotism. The interference of the Indian Government is even worse than that of Turkey: for they not only punish their *victim* without trial, but, by destroying all his property, which the Turks often respect, consign his children to misery for the untried and supposed offences of their parent.

(5) This is notoriously untrue. The Government of all countries ruled by law must tolerate every thing not contrary to that law: and in every case in which Mr. Buckingham was proceeded against at law, he was acquitted as innocent! Would not the Government of England tolerate what successive Juries of Englishmen (mostly servants, too, of the Government itself) pronounced harmless and free from blame?

(6) It is difficult to write a refutation where every line contains a misrepresenta-

I cannot throw them out of my consideration, and I am of opinion, that this Court is not fairly dealt with when they are asked to do so. Is it, I ask you, for conduct such as this that Mr. Buckingham is entitled to your support, to your influence, or your money? I say this, because the hon. Mover seems to wish that you would give him the sum of 5000*l*. Mr. Buckingham may have been unfortunate, but it is clear that he has brought his misfortunes on himself; and, therefore, I will apply to him the remark which Charles II. made on his brother's marriage with the daughter of Chancellor Hyde. He then said, "My brother James must drink as he brewed." And so it should be here. Mr. Buckingham can only expect to drink that which he has brewed for himself. I do not mean to say any thing against the moral character of Mr. Buckingham. This has not been questioned, and with it we have nothing to do. We are only to judge him for his political conduct, which, from the terms of the motion, comes fairly and necessarily before us. I must repeat, that Mr. Buckingham's moral character is nothing to us, that we have no concern in it; and I think, to say the least, that it was quite useless to introduce it to the Court. I earnestly wish, in debating this matter, to throw overboard some portion of the lumber (I do not mean the word in an offensive sense) with which it has been encumbered. I will put it to the Court, what is it to me, or to any one around me, whether Mr. Buckingham be a "literary thief," or a "black sheep." There was no such charge before the Court. No matter what impression may have been made on the minds of people in India by the literary accusations against Mr. Buckingham; it is clear as light that his deportation had nothing to do with it. (7)

tion. Either Mr. Poynder does not know the real facts of the case, and therefore should not presume to argue on them; or he does know them, and wilfully misstates them. He alone can decide which. But it is not true that there were any continued charges or systematic abuse of the Indian Government in the pages of Mr. Buckingham's paper. It much more frequently eulogized than condemned the Government, from conscientiously believing it to deserve such praise. There were no entreaties ever used—no appeals ever made—and but few warnings; not one of which was ever disregarded, or any specific offence warned against ever repeated. Besides which, it was only for *one act* (and that the *first*,) committed during Mr. Adam's temporary career, that Mr. Buckingham was banished. and as to the withdrawal of the licence from his paper, the very law which empowered the Government to do this, was not made till Mr. Buckingham had been sent from India: so that the licence *could* not have been withdrawn for any acts of his. It was withdrawn avowedly for one specific act only: namely, that of Mr. Sandys's republishing Col. Stanhope's Pamphlet on the Press of India; a book that Mr. Buckingham had never seen, as it did not reach India till after his arrival in England: and, therefore, with the act for which the licence was professedly and really withdrawn, Mr. Buckingham could have had no participation whatever. So gross is Mr. Poynder's ignorance of facts known to all the world beside, if he speaks sincerely; or so manifest his want of fairness, if he is not ignorant of the facts, in thus misstating them.

(7) Mr. Poynder is again at fault. It was of the utmost importance to the Court to know that Mr. Buckingham was *falsely* accused of being a literary thief; for, in truth, this very accusation was the direct *cause* of the controversy that led to his being sent from India. Dr. Bryce, in a series of letters, signed "A Friend to Mr. Banks," held up Mr. Buckingham to odium, as undeserving the countenance of any honest man; and called on the Government to expel from their dominions one so tainted with crime. The Reverend Slanderer was, for his zeal in thus bringing into disesteem the advocate of a free press, rewarded with a place as clerk of stationery. Mr. Buckingham, who had been reviled, with more bitterness than if he had been a highwayman, by this meek Divine, returned his bitterness with raillery, and laughed at the reverend personage in his new capacity of paper, pounce, and pasteboard purveyor. It was for *this* avowedly, and for *this alone*, that Mr. Buckingham was sent from India; and it is therefore of the highest importance to shew, that the revilings of this meddling Priest, which led to Mr. Buckingham's banishment, were as *false* as they were malicious; and that his reward—(which he still enjoys, though the Directors have *twice* sent out orders for his removal)—was so unjustly bestowed, that it was a

Mr. Buckingham was not sent from India on account of being a literary pirate, or because of any charge against his morality, but for his attacks upon the Government—for his perseverance in a line of politics which OUGHT NOT TO BE ENDURED in India, or in England, or any where. (8) And, as to the *argumentum ad misericordiam*, which formed the concluding part of the hon. Mover's address, I think it is altogether misplaced. The subject here is an affair of business, and not of charity. Let the public at large subscribe for the relief of Mr. Buckingham, if his circumstances are so unfortunate as to need such a relief. But let not the Proprietors of East India stock be exclusively appealed to for the supply of his necessities, unless on grounds far, very far different from those which we have this day heard.

The hon. Mover has read the correspondence, and made his comments upon it with very great humour. He has made a display of that easy flow of ready and elegant wit, which every one must admire whenever he speaks, and which I listened to with the greatest pleasure. But, at the same time, what is the amount of it all? Why, that the Government of India, (acting, as I think, most properly and prudently,) being well aware of the principles of the paper, and having had long experience of the conduct of the proprietor, (for it was perfectly well known that Mr. Buckingham still possessed three-fourths of the establishment,) decided not to permit the diffusion of inflammatory matter from the same quarter. It makes no difference whether Mr. Buckingham was owner of the whole, or only one-fourth part of the paper; so long as he had the power to continue the same offensive course of politics, the Government had a right, and (in my opinion) were right, to continue the line of conduct they had adopted. And this, too, not only with respect to whoever might be editor, but also with regard to Mr. Buckingham, while they knew he had the power of disseminating, through his paper, that seasoning of contempt and aversion for the constituted authorities, with which his publication had been so plentifully provided (9). There has been nothing proved against the Government, except the exercise of a *paternal care*, in providing for, and watching over, the well-being of their subjects. Until it is proved that the Government has behaved improperly—that in their conduct towards Mr. Buckingham they have been influenced by private instead of public motives, I certainly cannot regard him as a man either to be esteemed, to be rewarded, or to receive any money. I respect Mr. Buckingham as a man of talent, but talent has nothing to do with this question. We are to judge him as a politician. Is this, then, I ask, a case for compensation? I say, decidedly not; and I confess I am astonished that it should ever

virtue in Mr. Buckingham to point out its injustice, though he has been ruined for anticipating the very judgment—which the Directors have themselves since pronounced on his appointment.

(8) It is impossible to imagine what politics are here alluded to, as *not to be endured*, either in India or in England. Mr. Buckingham's politics were those publicly avowed by Lord Hastings, the Governor-General; openly professed by Mr. Elphinstone, the Governor of Bombay; and undisguisedly adopted by nine-tenths of the British in India. They simply advocated this plain truth:—that all government ought to be considered a trust for the good of the greatest number; that no man should be punished without a trial; and that the caprices of despotism were not so deserving of respect as the solemn decisions of the law. Yet this is what Mr. Poynder thinks ought not to be endured *any where*. His "*paternal government*" admits no such abominations as these! It is impossible to say whether Mr. Poynder's ignorance, or prostitution of principle, be the true solution of all this. Be it which it may, it is equally disgraceful to the age and nation to hear such sentiments as he avows.

(9) Really all this is like the ravings of an insane mind. The Government had the power to change the Editor every day, or to put a censor over every sheet issued. They had a servant of their own as Editor, whom they knew would not dare offend them; and Mr. Buckingham was ten thousand miles distant. How then could he possibly continue to disseminate *any thing* through a paper in Calcutta, he being on the ocean, or in London? The very supposition is marked with absurdity.

have been brought before this Court. As I have made an attempt to show to the Court the principal sins of omission in the hon. Mover's speech, and upon considering the great weight of the matters so omitted, I cannot help thinking that this case was one of the very worst that could have been laid before the Court as deserving of compensation. In this Court every thing is known, (*hear,*) every thing is open, (10) (*hear,*) and therefore you must be made acquainted with all the facts respecting Mr. Buckingham. As, then, the Court of Directors and the Court of Proprietors are fully aware of the conduct of this gentleman, I think it is their duty, most decidedly, to put their *veto* upon this proposition.

Mr. LEWIN.—Although I am most unwilling to trespass on the time of the Court, yet I deem it to be my duty to express (though as briefly as I possibly can) to the Proprietors my conviction respecting this case. Notwithstanding the arguments which have been urged by the hon. Proprietor who spoke last, I am decidedly of opinion that the hon. Mover has brought forward this question in a proper manner, and I think it is totally unnecessary to enter into the consideration of the conduct either of the Bengal Government, or of Mr. Buckingham, while he was in India. That matter was altogether past and at rest. The Bengal Government had taken notice of such actions of Mr. Buckingham as they had deemed improper, and they had acted with respect to them as they thought advisable. They had visited those actions with their severest disapprobation, with such a disapprobation as was in perfect accordance with their "paternal regard", as the hon. Gentleman has been pleased to call it; (*hear, hear;*) they exiled Mr. Buckingham from India. Not content with this, they followed it up by extinguishing his establishment, and the consequence was, Mr. Buckingham's ruin.—(*Hear.*) The question, then, is, not whether Mr. Buckingham had acted right or wrong—not whether the Government of Bengal had acted right or wrong—but, admitting for argument's sake, that Mr. Buckingham had acted improperly, the subject for the decision of the Proprietors is, as I submit, whether that gentleman was to be entirely proscribed—(*hear,*)—whether there was any medium to be observed in his punishment—whether he should be obstructed in the management of his establishment—(*hear,*)—his property be destroyed—he himself removed from one quarter of the globe to another, and not be allowed, even by proxy, to attend to his business—(*hear, hear,*)—in short, whether he was to be hunted through every corner, and destroyed like a wild beast?—(*Hear.*) The question, I submit, is, whether, examining the proofs which were fairly brought forward, and as fairly commented upon by the hon. Mover, it does not clearly appear that Mr. Buckingham has been treated in the unjust and oppressive manner that has been described—(*hear,*)—and whether this Court will or will not interfere for his relief, and for the purpose of preventing such practices in future?—(*Hear.*) The question is, barely, has the punishment of Mr. Buckingham been just or unjust? He has been banished, and his property has been, in consequence, reduced to almost nothing from a great amount. These things have been committed by those who govern India, by persons who represent this Court in India. I do not mean to cast any imputation on them, neither do I know how they can at all justify such extreme severity. As it is admitted upon all sides that Mr. Buckingham is as honourable a man as exists in the world, I ask you, is it proper, is it moral, or is it right, of this "paternal Government" to pursue him as they have done? I demand of the Court whether they will permit Mr. Buckingham to be hunted, *usque ad necem*? It is impossible for me to have any conception why this gentleman,

(10) This is another proof, if more indeed were wanted, to show the utter ignorance of the speaker. The very reverse of his position is the truth: for nothing is known, and nothing open, but such as the Directors choose. The papers on the Barrackpore massacre have been asked for and refused; those on Lord Amherst's Administration were but a day or two before withheld; and in the present instance (as the sequel will show) all information was denied. And yet Mr. Poynder blushes not to assert what he does. There are many, however, who must blush for him.

standing, as he does, so high in the general esteem, shall be treated worse than a common felon.—(*Hear.*) I stand here in the presence of many legal gentlemen, and I am confident they will justify me in saying, that although a printer may be transported from this country for perjury, or any other serious offence, yet other persons would not be prevented from carrying on, or conducting his business. Even in case a man should conspire against the life of another, and be transported to Botany Bay for the offence, the Government would never think of the infliction of a further punishment on him. The Government has no such power in this country, and if it had, I am certain they would have no inclination to use it.—(*Hear.*) I am shocked to name, in the same breath, even for one moment, the characters I have alluded to, with a man of Mr. Buckingham's great honour and pure character. But I only do so to illustrate and to fortify my argument. A double punishment has been inflicted on Mr. Buckingham. Surely he had suffered enough when he had suffered banishment. However, the Government were of a different opinion. They said, "Mr. Buckingham has a considerable share in this property, let us ruin it. Though he has now departed from India, and though there can be no communication with him for at least a year, still he may be planning to upset our Government. At all events, we shall act as if he were." Can this conduct be deemed worthy in any Government? Yet this was the conduct of that "paternal Government" which the hon. Proprietor has so highly lauded. What necessity was there for this, or how could it be useful? Where is the common sense of such a proceeding? Every one that hears me cannot help perceiving that the fears on which it is alleged the proceedings of the Government were founded, are ridiculous in the extreme.—(*Hear.*) Mr. Buckingham was transported to England; and that great Government of India entertained fears that he would send documents from here, which might check or control the proceedings of that Government, through the medium of the press in India. Any man that thinks, must at once perceive how entirely ridiculous such fears were. It is clear, however, from the measures adopted in India, that Mr. Buckingham's property has been reduced from splendour to almost nothing. Is this the measure of justice (and I put it to the most violent adversaries of Mr. Buckingham in this Court) that they would wish to have dealt out to their friends or their children? Let these things be maturely considered, and assuredly the Court will look upon Mr. Buckingham, not with a view of destruction, but with an eye of mercy. No man is infallible—every man may fall into error; and if Mr. Buckingham has erred, let not his punishment be greater than his offence. I will admit, for argument's sake, that Mr. Buckingham was wrong; but, was not his banishment from India even a more than sufficient punishment? Mr. Buckingham is, I contend, an object of real pity. His character, as a man, and his acquirements as a gentleman, are high; and ought not the Company to treat him with those feelings of justice and mercy which have always distinguished them? Mr. Buckingham had suffered much injury, and he very properly came before the Court to ask, "Am I to be utterly destroyed? If I am not, give me a show of hands in my favour." This, I repeat, is a case which deserves the warm support of this Court; and I trust that you will grant, with liberality and justice, the compensation which, in my opinion, Mr. Buckingham is justly entitled to.—(*Hear.*)

MR. S. DIXON.—I wish to know, Mr. Chairman, whether I am right in the supposition, that this motion is for the production of further papers?

THE CHAIRMAN.—It is merely for papers.

MR. S. DIXON.—I am of opinion, Sir, that the hon. Proprietor who has brought forward this motion, and who, of course, has consulted others upon the subject, has not chosen the best mode of serving the interests of Mr. Buckingham. Indeed, I think that the hon. Mover and his friends, if they only had the welfare of Mr. Buckingham in view, have chosen the very worst course to attain that object. The hon. Mover has said, and it has been assented to, that Mr. Buckingham has suffered very much in a pecuniary way, and that, perhaps, before the holding of another Court, that gentleman might be within the walls of a prison. Were his friends then taking the

best means to serve him, if that really were the case, by bringing forward a motion for papers, the production of which would necessarily occupy a considerable time. If my recommendation be considered of any value, I should advise them very strongly to alter the course of conduct they have pursued this day. It was competent to, and he thought it the undoubted right of, every Proprietor to take the most extensive view of the conduct of Mr. Buckingham while in India. Their limits of observation were not to be narrowed by the ingenuity of any individual. Every thing that had passed by was not to be thrown aside. On the contrary, I will say, as I have before done, that Mr. Buckingham has abused the Government of India in the grossest manner. (11) Though the hon. Mover may have fixed upon a different course of argument, my ideas are not therefore to be confined, nor am I shut out by this from allusions to what is passed. It is the natural feeling of humanity, as well as my own particular wish, to assist any suffering person who comes forward with a complaint, if I can possibly do so. But, if Mr. Buckingham's friends wish that this question should be brought to a speedy termination—if they desire that his pecuniary losses, which they say are great, should be relieved—they ought, in my opinion, to have recourse to a different method. I do not mean to offend Mr. Buckingham's feelings; but I must say, that, for most of his misfortunes, he has only to thank himself. (*Hear.*) We all know that he was sent from India, not for one offence only, but for several. He had received frequent warnings of the danger attendant upon the line he was pursuing. He had been informed, that if his conduct was not altered, the Government must necessarily put a stop to proceedings which were calculated to put the safety of India in jeopardy. It was in vain, however, to remonstrate with him. He would not depart from his usual course, and he brought ruin upon his own head. (12) I would recommend to those gentlemen who wish to serve Mr. Buckingham, to advise him to show in an humble representation to the Court of Directors, that he has been an excessive loser by the acts of the Indian Government. (*"He has done so already!"*) Still, in my opinion, the better line of conduct would have been to ask, as a favour, for remuneration for the losses sustained by Mr. Buckingham. The inherent feelings of humanity in every man's bosom, would induce him to listen to such an appeal more favourably than to a proposition of the nature of that before the Court. Supposing the motion should be carried, and the papers produced, it would require a long time to consider them, which would protract the issue which Mr. Buckingham must look forward to with so much anxiety. I regret that I cannot go along with the motion; although the feelings of humanity would prompt me, and not me alone, but I am sure the great majority of the Proprietors, to any appeal from Mr. Buckingham for compensation.

Sir C. FORBES.—I have listened with satisfaction to much that has fallen from the hon. Proprietor who spoke last; and I must confess, that I wish

(11) It is painful to be compelled to say so often, "this is untrue;" but really such assertions cannot be passed by without denial. But even if it were true (which it is not,) that the Indian Government was grossly abused, were there no Courts, or Judges, or Juries there to punish the offenders? And if so, what other punishment than the law would inflict could be necessary?

(12) Mr. Dixon cannot understand the facts, if he supposes India was endangered by any thing Mr. Buckingham ever wrote, more especially the laughing at a Presbyterian parson being made a stationer's clerk. What had the safety of India to do with this? But, indeed, India was never so safe or so tranquil as during the whole time of Mr. Buckingham's paper being in existence; and it has never been so unsafe or so disturbed as since its destruction. And, then, as to ruin being brought by Mr. Buckingham on himself, because he would not alter his usual course—this is also untrue: for Mr. Buckingham's banishment was not the cause of his ruin, but the refusal of Government to let his property be used for his advantage by others, (long after his "usual course" was at an end. It is to be regretted that men will neither read nor think upon the facts or arguments of a subject on which they pretend to speak. So much error and misrepresentation are hardly conceivable, were it not displayed in a manner not to be doubted.

the course which he recommended had been this day pursued. If, however, that course had been adopted, it is not improbable that Mr. Buckingham and his friends would have been met by the objection, that all the papers not being before the Court of Proprietors, they could not be expected to come to a decision on the case. So late as last night the friends of Mr. Buckingham had it in contemplation to propose a motion for a specific grant to him; but it was then thought better to move for the production of papers, under the apprehension to which I have just alluded, namely, that an objection might be taken to voting a grant, unless the documents upon which it was founded were previously laid before the Court. Those who have brought the question forward found great difficulty in deciding upon what course it would be most advisable to pursue. If, however, it should be in accordance with the feelings of the Court to entertain such a proposition as that alluded to by the hon. Proprietor, it is not too late to substitute it for the motion before the Court. If in the course of the discussion which may take place, I should find that such is the general feeling of the Court, I shall think myself at liberty to adopt the suggestion which has been thrown out by the hon. Proprietor.

I will now address myself to the subject before the Court, and in what I have to say, shall confine myself to a very few words. I do not mean to justify the whole of Mr. Buckingham's conduct as Editor of the '*Calcutta Journal*.' I never have absolutely justified his conduct. On the first occasion of the question regarding Mr. Buckingham being brought before the Court, I gave it as my opinion, that he had been extremely imprudent, and had thereby laid himself open to that degree of punishment which was ultimately inflicted upon him by the Bengal Government, after he had received repeated admonitions of the consequences which would result from continuing in the course which he had adopted. It will be in the recollection of the Court, that this was the line of argument which I adopted, and I have since seen no reason to alter it. It has always appeared to me, as I formerly stated, that Mr. Buckingham was made a tool of by those who entertained the idea of establishing a free press in India. He was put forward as an instrument by those persons down to the latest period of his residence in India; and as soon as the Government visited him with that punishment which it considered itself justified in inflicting on him, he was deserted by them all, by those very men, with the exception perhaps of one or two, who had called themselves his friends, and who, by encouraging him in the course he was pursuing, had led to his destruction. (*Hear, hear.*) This has always been my opinion, and I still continue to entertain it. That Mr. Buckingham was exceedingly imprudent with respect to various articles inserted in his paper, I have no hesitation in admitting; but if I am called upon to say whether I think that any one of these articles taken separately could be considered as tending to endanger the safety of India, I can lay my hand upon my heart, and declare, that I do not. (*Hear.*) That Mr. Buckingham did oppose himself to the Government is unquestionable; that he appeared on some occasions to have set them at defiance is, I think, also true. But let it be recollected, that there were no regulations for the conduct of the press; and what appeared to one person perfectly harmless, might not be viewed in that light by another. By the censors of the press, the Secretaries of the Government, Mr. Buckingham might be considered to have transgressed rules which they had laid down amongst themselves, but had never been formally published. Under such circumstances, Mr. Buckingham might, quite unintentionally, give offence. And here I am bound to say, that after the repeated pledges which Mr. Buckingham gave to the Government, I cannot believe, knowing him as I do to be as honourable a man as any in this Court, that he really meant to offend the Government. (*Hear.*) That gentleman was warned, I believe, several times; but is it fair or proper, that because a man has been warned nine times that he has fallen under the displeasure of the Government, he should on the tenth occasion be visited with such tremendous punishment as has been inflicted on Mr. Buckingham? As well might it be said, that because a man has been

convicted nine times of a misdemeanour, he should, on the tenth occasion, be punished as for a felony.

It appears that, by the late proceedings of the Indian Government, Mr. Buckingham's property has been completely destroyed. I do not contend against the power of the Government to send Mr. Buckingham from India—that power it unquestionably possesses. Mr. Buckingham was aware that it possessed that power; and if he had acted another part, (as I think he would if the time were to come over again, in justice to himself and family,) he would not have been subject to that power. The existence of such a power is necessary in one point of view; it is necessary under the constitution of the Indian Government, for the protection of that vast empire. The British Parliament has intrusted the Indian Government with authority to send from that country any persons who, amongst other things, should be found in treaty with the Native powers. It happens, however, that there are very few Native powers left in India, for we have every thing in our own way there now.

I have done, however, with that part of the question which relates to Mr. Buckingham being sent from India, with respect to which I make no complaint. But the Government having done this—having banished Mr. Buckingham from India, there, I think, they ought to have stopped. It was cruel, unnecessarily cruel, to follow up that act by a series of persecutions, ending in the destruction of the property which he had left behind him, and in driving himself and his family to that pass, that the doors of a jail are staring them in the face. (*Hear.*) That this is the case at the present moment, I pledge my word, for I have ascertained the fact. (*Hear, hear.*) I call upon the Court to do that in the name of justice and humanity, which Mr. Buckingham no longer claims as a matter of right: he is no longer in a situation to compel justice to be done him as a right—he comes before the Court as a suppliant. But the case has been so ably stated by the hon. Gentleman who brought forward the question, that I am afraid I should only weaken the effect of his address, if I were to dwell longer on this part of the subject. The case comes before the Court in the names of those who appeal against Mr. Buckingham's wife and children being turned into the streets. I am satisfied it never could have been in the contemplation of the Court of Directors that matters should have proceeded to such an extremity as this; I know too well the goodness of the hearts of some of those gentlemen to suppose this was possible; I know that it was to the goodness and humanity of their hearts, and of the worthy Chairman more especially, that the recent grant to Mr. Arnot was principally owing. I think that great credit is due to the Court of Directors for their conduct on that occasion; and I trust they will follow up the kind feeling which they exhibited towards Mr. Arnot, and do that towards Mr. Buckingham, which I am quite satisfied would be in unison with the general feelings of this Court. (*Hear, hear.*) There may be some, perhaps, who will hold up their hands against the motion; there cannot be many, for I am willing to believe, for the sake of human nature, that very few in this Court can shut their hearts to the appeal which is now made.

I am not disposed to advocate the unlimited freedom of the press in India; but let me prevent myself from being misunderstood. I think it would be better that there should be no press at all in India, than such a one as now exists there. (*Hear.*) I shall not longer detain the Court; but if, in the course of the discussion, it shall seem likely to meet with the approbation of the Court, I will move “that a grant of 5000*l.* sterling be made to Mr. Buckingham, in consideration of the heavy pecuniary losses to which he has been subjected, by circumstances connected with his being sent from India, and by the destruction of his property since his departure from that country.” (*Hear, hear.*)

The Hon. LEICESTER STANHOPE.—I rise to second the motion.

Mr. R. JACKSON (who had risen at the same time) said:—“The honourable Baronet has submitted no motion; the gallant Officer cannot, therefore, second that which has not been moved. (The hon. and learned Gentleman then resumed his seat.)



The Hon. LEICESTER STANHOPE continued.—I am not acquainted with the tactics which should be observed in this Court. I know not whether the motion of my hon. Friend on the floor, (Mr. Kinnaird,) or that of the hon. Bart. may best suit the taste of Proprietors; but, conceiving that every cause is best promoted by a plain statement of facts, I will venture to enter upon one on the present occasion. With great prudence, my hon. Friend, in bringing forward his motion, abstained from making any observations on the relative merits of a free press, of a censorship, or of the present licensing system in India. My opinions with regard to those questions are unchanged; but I think it right on the present occasion to avoid all discussion on those topics. In entering upon the consideration of the question before the Court, I think it necessary to make some observations with respect to the characters of the shareholders of the 'Calcutta Journal.' Among the hundred shareholders of that paper were some of the most eminent men in British India; (*hear;*) there are some of these whose names I would not venture to state in this Court, for fear of injuring their fortunes in India; but there are others whose names I need not hesitate to mention, for they are so exalted in rank, and so pre-eminent for every kind of virtue, that I may say they really stand above the reach of bad power. Amongst others I may especially mention the name of Mr. John Palmer, son of General Palmer, who almost governed British India, during the administration of Warren Hastings. Mr. John Palmer, too, has had great influence with every Government since that period: a more honourable man, or more loyal citizen—one more attached to the British Government than that gentleman, does not exist. I will venture to say, without intending any disrespect to Lord Amherst or the twenty-four gentlemen behind the bar, that his knowledge of British India and of the feelings of the Natives is far greater than that of any of those gentlemen. With respect to Mr. Buckingham, I entirely concur with all the eulogiums which have been passed upon that gentleman by my hon. Friend on the floor. I esteem Mr. Buckingham much, because I know him well; I know him to be a moral man, a religious man, a good father, a good husband, a firm friend, and a loyal citizen; and if these are not qualities that deserve praise and admiration, then I know not what do. Further, I will venture to say, that with the exception of Edmund Burke, Lord Cornwallis, Lord Hastings, and the great historian of British India, Mr. Mill, no man has conferred greater benefits on the people of India, or has done more honour to the Government, than this said persecuted Buckingham. (*Hear.*)

Having dilated on the characters of the shareholders and the original proprietor of the 'Calcutta Journal,' I will now proceed to consider the injury which has been done to Mr. Buckingham's property, which is, properly speaking, the question before the Court. The first proceedings connected with this case was the prosecution of Mr. Buckingham by the six Secretaries of the Government, and his acquittal by a jury of his countrymen. And what was the character of this jury? Two-thirds of every jury brought into the box in India must be, directly or indirectly, connected with the Government; notwithstanding this, Mr. Buckingham was acquitted. When the Indian Government found that Mr. Buckingham was innocent in the eye of the law, it determined to have recourse to extra-judicial measures. Having once made up their minds on the subject, the occasion was not long wanting. Mr. Buckingham chanced to comment, in a humorous manner, on the appointment of Dr. Bryce to be a clerk of stationery, and for so commenting he was banished. Notwithstanding that Mr. Buckingham was banished for having commented on this appointment, this Court disapproved of the conduct of the Indian Government in having made the appointment, and ordered the said clerk to be dismissed. The Scottish clergy also, generally, disapproved of the appointment; and most men considered that the reverend Doctor ought to be deprived of his clerical office.

Next came the persecution of Mr. Arnott. On Mr. Buckingham's removal, Mr. Arnott was left editor of the paper. He chanced to make some observations, in which he attributed Mr. Buckingham's misfortunes to Dr. Bryce; and for those observations *he* was likewise banished. Thus did this Presby-

terian political parson—censured and deprived of his civil office by you, and his conduct disapproved by the Church to which he belonged, this editor of the ‘*John Bull*,’ this vender of pens, pounce, and paper—triumph over these two honourable men. (*Hear, hear.*) Then came another editor, who chanced to republish a pamphlet of mine on the Press in India. I have many political enemies, but I have never heard from any quarter any thing of an immoral, irreligious, or dangerous character imputed to that work. Notwithstanding this, after Mr. Sandys, the new editor, had republished the pamphlet, essay by essay, and not until he had completed it, the Paper was altogether suppressed, and the property destroyed.

These extra-judicial measures did not, however, satisfy the angry spirit of the Indian Government. They determined to have recourse to that “wild justice,” as Lord Bacon has denominated it, “revenge.” They seemed to think, that not only was the Editor bad, but that there was also something bad in the type, ink, and presses, and they, in consequence, prohibited the use of the machinery as long as Mr. Buckingham had any interest in it whatever. The shareholders upon this remonstrated, alleging, it was very hard, that because one person had offended, a hundred should suffer. They also reminded Lord Amherst, that at the time Sir Francis Macnaghten registered the regulations respecting the press, (what an occupation for a British judge!) he did it on the express condition that the property vested in the ‘*Calcutta Journal*’ should be respected. Lord Amherst seems to have been frightened at this, and he said that he would allow the paper to be resumed. I have been obliged to put upon paper all that Lord Amherst said he would and would not do, for his capriciousness is so great that it was impossible to trust my memory with it. First, he agreed that the paper should be published; then he would not allow it to be published unless it was edited by a Company’s servant; then he would not allow it to be published under the title of the ‘*Calcutta Journal*,’ then he would allow it to be published under a name which I think most inappropriate to the licensing system, namely, the ‘*British Lion*,’ then he would not allow it to be called the ‘*British Lion*,’ then he would allow it to be called the ‘*Scotsman in the East*,’ then he would not allow it to be published so long as Mr. Buckingham and the hundred Proprietors had any share in the concern; at last he did allow it to be published under the title of the ‘*Scotsman in the East*.’ Thus did his Lordship, to the capriciousness of a harlot, add the persecution of a tyrant. By the conduct of Lord Amherst the paper was ruined; and the consequence was, that a property, which had cost Mr. Buckingham 20,000*l.* in gold, and from which he received 8000*l.* a-year, a quarter of which he had disposed of to the hundred Proprietors for 10,000*l.*, was actually sold for 1500*l.*; and over and above the 4000*l.* which Mr. Buckingham left in his banker’s hands at Calcutta, he has since been called upon to pay 5000*l.* more on account of an expenditure incurred in consequence of the vacillating conduct of Lord Amherst; making Mr. Buckingham’s total loss 39,000*l.* I agree with Mr. Buckingham that it would have been better for him when he left Calcutta to have set fire to his premises, and consumed the whole concern.

Mr. Buckingham’s conduct has been scrutinized by the public in India, and by the courts of law and the Government of that country, and likewise by the Court of Directors and the press at home. Writers of all parties, the Editors of the ‘*Courier*’ and ‘*Morning Post*,’ all the Tory writers, actuated only by honourable motives, have disapproved of the measures pursued towards Mr. Buckingham. That gentleman has passed the ordeal of public scrutiny, and has constantly been pronounced blameless. Yet has he been persecuted and sacrificed to a satanical spirit of revenge. I will not say that in the darker ages—I will not say that under the reigns of a Dionysius, a Tiberius, or a Robespierre, acts of greater enormity have not been perpetrated, but I can venture to declare, that under a Government calling itself free, in the nineteenth century, a more cold-blooded, heartless system of persecution, than that exercised towards Mr. Buckingham, is not to be found upon record. (*Hear, hear.*) I will not believe but that the Court of Direc-

tors are disposed to do justice to Mr. Buckingham. When I have heard that Court abused on the other side of the water, (and I am sorry to say that they are constantly the subjects of abuse,) I have always endeavoured to support their character. Why did I do this? Because I perceived that when an individual was persecuted on the other side of the water, the Directors were always ready to do him justice at home. If, however, it should turn out that the Directors are not disposed to do justice to Mr. Buckingham, he must appeal to Parliament. There every individual has a right to seek for the redress of wrong. Not only every man with a white face in this country, but every native of India, every one of the hundred millions of the distant subjects of England, are virtually represented in the British Parliament. If the Members of Parliament have not sufficient industry and talent to take into consideration the affairs of the inhabitants of those distant realms, they do not deserve the character which they profess to maintain. Without those qualifications it is idle and vain to talk of the honour and integrity of British statesmen, or of the justice of British rule. That rule is good which confers the greatest benefits on the many, not that which raises every tenth man on the pedestal of liberty, as we are, and leaves the other nine to grovel on in slavery. (*Hear.*) If the doctrines which I have heard broached in this Court, and which I blushed to hear also broached before a legal tribunal at the Cock Pit, be established, the result will be, that henceforth there will be, under the dominion of Great Britain, twenty thousand British subjects and a hundred million of slaves.

I have done. I care not what tactics are adopted—whether the motion of my hon. Friend on the floor be carried, or that of the hon. Baronet opposite, whom I know on all occasions to be actuated by the most honourable principles; but I shall be always ready to support any measure calculated to do justice to the injured individual on the floor, (Mr. Buckingham). (*Hear, hear, hear.*)

Mr. R. JACKSON.—My hon. Friend, in bringing forward this question, has adopted precisely that course which I expected of him, his object being to conciliate the Court. He said that he would avoid touching upon the subject of the press in India, and also avoid dragging into discussion, in a political point of view, that awful authority which the law has vested in the Governor-General, of sending persons from India. Both these questions are of too much importance to be allowed to be identified with the case of an individual. (*Hear, hear.*) Though I am aware that I cannot profess much regard for the press without running the risk of being suspected its secret enemy, I will once more avow as hereditary and consistent a regard for the liberty of the press as my hon. Friend, or any other person bearing the name of Englishman can entertain; and I will here take the liberty to observe, that if the subject has not already met the attention of the authorities at home, they could not aim at a nobler purpose than to inquire into the real practice of the press in India, with the view of rendering every practicable degree of freedom to that great means of intellectual improvement, the result being loyalty to the state and affection to the country. It might not, perhaps, be improper at the same time to consider whether even that power of deportation existing in the Governor-General might not be in some degree qualified. Having thus slightly alluded to those two important subjects, I will not go further lest I fall into the evil which my hon. Friend deprecated. My hon. Friend's speech was, however, characterized by no small degree of asperity, in so far as it alluded to the Government of Bengal. I only refer to this circumstance in order that some justice may be done to an absent man. I have no acquaintance with Lord Amherst, but were he a person of much less consideration than he is, it would be sufficient that he is absent and incapable of defending himself, to induce me to point out any part of the hon. Proprietor's speech which I think bears hardly and unjustly on him. The scope of my hon. Friend's speech, the scope and entirety, almost, of the speech of the gallant Officer who has just down, and the scope and tendency of many writings which have appeared on the subject, have been to convey an idea that Lord Amherst personally refused to sanction, with his license, any paper in which Mr. Buckingham had any property. Very little reference to the papers which

Mr. Buckingham has circulated in Court, will show that Lord Amherst did not object to Mr. Buckingham having a property in the paper for which Dr. Muston asked a license, but only to his being allowed to retain any degree of influence in the concern. Lord Amherst may have been right or wrong on this point—with that I have nothing to do. All I wish to establish is, that Lord Amherst objected only to Mr. Buckingham's retaining a governing influence over the paper, and not to his being a proprietor. But before we condemn Lord Amherst for even this limited objection to Mr. Buckingham, let me ask, have we forgotten the declarations which that gentleman formerly put forth? Do we not recollect that amongst the consolations which Mr. Buckingham promised himself, was this—that although transported (as he was pleased to call it) from India, he had left his paper that would send forth information which he would supply from this country, and give publication to the essays which his warm feelings, in a place where there was no danger, should from time to time give birth to. Is it to be much wondered at that Lord Amherst, feeling the inutility of changing the name, but leaving the objectionable influence, would not countenance any arrangement which would have that declared, that denounced influence in operation. (*Hear.*)

My hon. Friend, (Mr. Kinnaid,) in the course of his speech, read a letter from Mrs. Muston, the wife of the gentleman who was making the application for a license to carry on the paper, under the name of the British Lion, which the gallant Officer who spoke last conceived to be very inappropriate. I may here observe, that the gallant Officer was wrong when he stated that Lord Amherst was willing to allow the publication under that name—his Lordship objected totally to the British Lion. My hon. Friend, as I before observed, read a letter from Mrs. Muston, from which it would appear that Lord Amherst had been actuated only by the most bitter feelings of resentment towards Mr. Buckingham. The letter was written to Dr. Muston, and is as follows:

"My Love—Henry came here to tell you that my father had seen Mr. Fendall, from whom he learnt that the license had been refused, and would be refused so long as Mr. Buckingham had any share in the concern. They have not the slightest objection to you; but the writing of Mr. Ballard's letter to you says, you will have the same control so long as he and Mr. Palmer are proprietors; from which the Government infer you would have it only so long, and then you might be subject to Mr. Buckingham's interference."

This is the lady's letter; but, as now and then happens in the world, her husband had taken the liberty, in spite of all possible domestic animadversions, to contradict her point blank. (*Laugh.*) Dr. Muston had asked Mr. Bayley's advice as to whether it would not be advisable to beg an audience of Lord Amherst. Mr. Bayley advises Dr. Muston to take that step; and Lord Amherst (which is not a proof of his being a very tyrannical and unbending man) immediately upon application being made, granted the audience. I will now read an extract from a letter, in which Dr. Muston describes the result of his audience with the Governor-General:—

"From the impression left on my mind, after a long interview with the Governor-General on the subject of a license for the 'Calcutta Journal,' I am inclined to believe that no objection will be made, (on a renewal of my application,) provided another name be substituted for its designation, and that the Government is convinced, at the same time, of my being *bona fide* the proprietor of it. The property Mr. Buckingham possesses in it is no objection, if it can be held without a right of influencing its details by any interference on his part."

This, in my opinion, is a proof that Lord Amherst's aim was not against the property, but the influence of Mr. Buckingham. In another letter addressed to Mr. Bayley, Dr. Muston says:

"I heard from Mr. Harrington it was your opinion that no license would be granted to me, unless I became proprietor of the concern, or an actual transfer of the property was made from the present proprietors to others who should apply, with me and the printer jointly, for a license to publish a newspaper. If this be the case, I have misunderstood Lord Amherst, who appeared to me to require only the exclusion of Mr. Buckingham from all and

every power of interference or control, and in no way to injure that gentleman's property. Indeed his Lordship distinctly stated it to be his wish not to injure the property vested in the *Colombian Press*; but this wish *cannot be realized* if the property be transferred from the present proprietors."

Mr. D. KINNAIRD.—I beg to observe to my learned Friend, that the real intentions of Government are made evident in the official letter of Mr. Bayley, subsequent to the period to which he is now alluding; in which the writer says, that the Governor-General will not accede to Dr. Muston's proposal to rent the Paper for a year, because security was not given that, at the end of that period, Mr. Buckingham might not resume his influence.

Mr. R. JACKSON.—I have merely adverted to these letters, to show that the observations which have been made upon Lord Amherst, are not altogether well founded, inasmuch as either Dr. Muston totally misquotes him, or his Lordship has, in more than one instance, expressly declared, that he did not object to Mr. Buckingham having a property in the Paper, but only to his having an influence over its management. (13) It is sufficient for me, in endeavouring to defend an absent man, to show, that one of the acts imputed to him is contradicted out of the mouth of the very person on whose statements the charge is supposed to rest.

I now come to the important question,—What is now to be done under the circumstances of the case? The motion before the Court is in the following terms:

"That there be laid before this Court copies of all correspondence between the Court of Directors and Mr. J. S. Buckingham, late proprietor of the '*Calcutta Journal*,' respecting his claims for reparation of the injuries sustained by him in his property in Calcutta, in consequence of the measures of the Bengal Government. Also copies of all proceedings of the Bengal Government referred to in the correspondence before named."

This motion is, in my opinion, too comprehensive. It affords room for reviving all the transactions on which the Court has already passed judgment. The correspondence called for in the latter part of the motion, has already been commented on, passage by passage, in this Court. We have already discussed and determined on the general history of Mr. Buckingham's conduct in India. We thought it wrong, we thought it highly contumacious, and that the Government of India had done right in taking the step which it did take, Mr. Buckingham having left it no alternative but to bow and humble itself at the feet of an able and popular editor, or to convince him that it was *stronger* than he was. (*Hear.*) It is now universally admitted, that the Bengal Government acted rightly. (14) In the measures which they adopted we supported them, after a long discussion, and by a decision almost unanimous. Would it be wise, then, to go into a discussion with respect to the papers upon which we came to that decision? If the motion had been limited to the production of papers subsequent to Mr. Buckingham's departure from India, I would not object to it; and I will proceed to state why. Supposing the Indian Government to have pursued a legal, judicious, and unavoidable course, still, if that course has operated hardly upon an individual, beyond the expectations, beyond the wishes, beyond the fault, perhaps, of those who adopted it,—this is not the Court to hear, with apathy, that the well-educated wife and children of a gentleman of character, talent, and honour, have been brought into a painful, pitiable, and an unforeseen predicament. (*Hear, hear.*) I should be ashamed if I did not feel and acknowledge that Mr. Buckingham's is a case of sympathy, to which any consideration, on the part of the Directors, would have me for its most cordial supporter. (*Hear,*

(13) The best answer to this is the plain fact, that the licence to set up a paper was not given to Dr. Muston until he had declared that it was *bona fide* his property; that the licence specified that the paper should be his, and no one's else; and that he afterwards sold the copyright, *as his own*, to another individual, and claimed the proceeds as his right, because the Government in their license had declared that *he* and no other person should be the proprietor of it.

(14) Not universally—not even generally. Perhaps 100 individuals out of the whole population of England may conscientiously think so; but thousands, nay, tens of thousands, both in India and in England, think otherwise.

hear) But if sympathy for Mr. Buckingham be the real object in view, the question is, whether the proceeding proposed is the best and happiest mode of attaining an end so desirable. It was suggested by an honourable Proprietor behind me, (Mr. Dixon,) that if Mr. Buckingham would throw himself and his misfortunes upon the humane consideration of the Court, such an appeal would not go unregarded. That appeal has, however, been recently made to a higher authority. In language wholly different from that which we formerly considered to partake of contumacy and defiance, Mr. Buckingham has cast his wife and family on the mercy of our executive power. Now, if it were possible to suppose that, in calling for the production of papers limited to the time I have mentioned, there was any intention to quarrel with the Directors, or to force them into a remunerating grant, I would not be so friendly to the proceeding as I am; but if the papers should be laid before us, and wisely and righteously used, they may be made the foundation for an application on our parts to the Court of Directors, requesting their favourable consideration of such parts of Mr. Buckingham's case as have recently come to our knowledge, and expressing the gratification we should feel if they partook in the sympathy which it is evident exists pretty generally in this Court towards that gentleman. (*Hear, hear.*) I have endeavoured to draw up a motion upon paper, according to my ideas of what is proper to be done. I do not, however, wish to propose an amendment; I am willing to support the motion, if limited in the way I have pointed out.

Mr. D. KINNAIRD.—We can have no objection to limit the motion as proposed.

Mr. JACKSON.—Then comes the question, what is best calculated to serve Mr. Buckingham? I am desirous that he should not ask for justice, as it has been called, but rather appeal to the sympathy which every gentleman—every father of a family—every admirer of talent, must feel for Mr. Buckingham. I am disposed to look upon Mr. Buckingham's conduct with great indulgence. I believe that many parts of his conduct, since his arrival in this country, which are considered objectionable, have proceeded from his not being conversant with the forms and modes of proceedings of public bodies, with which he would have been better acquainted had he lived longer amongst us. The motion which I have drawn up is as follows:—

“That the Court of Proprietors request the Court of Directors to take into consideration the losses sustained by Mr. Buckingham since his departure from India; and the Court of Proprietors beg leave to assure them, that if they find Mr. Buckingham's situation such as to induce their sympathy and pecuniary aid, they will meet with the cordial support of this Court.”

In the undivided feeling of sympathy for Mr. Buckingham and his amiable family, I have drawn up this motion. I will support the motion for the production of the papers, in the hope that they will afford ground, not for retributive justice, but for that sympathy which the Directors never withhold where it is called for, and for the exercise of which they have constantly our support. (*Applause.*)

Mr. HUME.—As one of the persons at whose request this Court was made special, I am anxious to say a few words on the question; and in doing so, I will confine myself to what has occurred subsequently to Mr. Buckingham's departure from India. I may state, that as far as my hon. Friend and myself are concerned, we are most willing to adopt the suggestion which has been thrown out by the learned Gentleman who spoke last; for we have no other object in view than to serve Mr. Buckingham, feeling, as we do, a sincere conviction that he has been injured in a degree much greater than was ever intended. I differ from the hon. Proprietor who spoke early in the discussion, and who seemed to be of opinion that the Court ought, on the present occasion, to take into consideration the general question of Mr. Buckingham's conduct. That question has been determined. His conduct met with my approbation, but the Court decided against it. I was one of those who contended that Mr. Buckingham had been illegally transported. The Court, however, adopted a different view of the question, and decided accordingly. On the present occasion, I bow to that decision, however I may regret it;

I am willing to consider that Mr. Buckingham's transportation was a punishment for offences against the Government; but I deny that Mr. Buckingham ever opposed the Government: he only endeavoured to expose the abuses which existed under the Government. The whole of the general question, however, ought to be put out of consideration on the present occasion; we have nothing to do but with what has taken place subsequent to the period of Mr. Buckingham's leaving India. I ask, then, can it be the wish of any man who hears me, that the sentence of banishment to which Mr. Buckingham was subjected, (and which, God knows, is severe punishment enough to any person who has established himself in a country, and is in the course of procuring for himself an independence for life,) should be followed up by the confiscation of the whole of his property? I am willing to admit, with my hon. Friend who brought forward the motion, that an unfavourable impression was created against Mr. Buckingham by circumstances which the lapse of years only has removed. But since he has cleared his character from the imputations cast upon it in a court of justice, and before a jury of his countrymen, I think we ought to look with favourable eyes at the situation in which he is placed—a banished man—banished probably on account of the unfavourable impression raised against him by groundless calumny. (*Hear.*)

It is material to the proper consideration of the question before us, to ascertain what property Mr. Buckingham possessed when he left India. In the month of June 1822, a proposition was made to sell a certain portion of the property of the '*Calcutta Journal*.' A number of gentlemen, who desired to become purchasers, met and examined the accounts of the concern, from which it appeared that the paper yielded a clear income of 8000*l.* per annum. The value of the paper was taken at five years' purchase, or 40,000*l.* sterling, and a fourth was distributed amongst 100 persons at the rate of 100*l.* a share. Thus it appears that three-fourths of the property, or the value of 30,000*l.*, remained in Mr. Buckingham's possession. Mr. Buckingham had absolutely expended 20,000*l.* in the purchase of buildings, presses, types, books, and every thing which was calculated to render his printing establishment the most complete possible. When he was ordered home, Mr. Buckingham might have sold his share in the concern, under the disadvantage of a change of editorship, for at least 20,000*l.* He chose, however, to retain it, expecting to derive an income from it in this country of 3000*l.* or 4000*l.* a year; not supposing that the persecution of the Government or other persons (for circumstances have come to my knowledge which lead me to believe that persons under Government, who were Mr. Buckingham's enemies, took advantage of their influence to cause the destruction of his property) would deprive him of it.

I will state a circumstance, which will show the good faith with which Mr. Buckingham intended his establishment to be carried on. In order that there might be no doubt as to the spirit with which Mr. Buckingham intended his paper to be conducted, that gentleman, before his departure from India, drew up a set of rules and regulations for the direction of the editor and every person concerned, in order that they might avoid giving offence to the Government. The whole of these regulations are most judicious; and if ever I should have any thing to do with a newspaper, I would adopt them as my guide through the rocks and shoals which beset the editor of a daily paper. I will only read one paragraph:—

As I began with the strongest recommendation to unanimity, so I would end with a repetition of my earnest desire that this be preserved unbroken, even at the greatest sacrifices of individual feeling, to promote the general harmony and common comfort of all. It will materially contribute to this, if *each* of the two Gentlemen more especially engaged in the management of the Paper, be vested with the power of correcting any portion of the communications sent for the Press, whether written within the office, or coming from without; as by this means every security will be made against any thing objectionable escaping either from one or the other. Though Mr. Sandys, as Editor, will have the task and responsibility of exercising his censorship on all that is published, I desire also that Mr. Annot and Mr. Sutherland shall equally exercise the right of wholly re-

jecting, or partially correcting, softening, and amending any thing intended for publication; so that nothing may appear which has not the concurring consent of all the parties named. Neither of them will have the right to *add* a word to what is written by the other, without the writer's consent; but each must have the right of *striking out* any portion of what is written by the other, whenever he may think it objectionable in any point of view. I have myself always submitted to this friendly revision of others: because I am aware that the writer of any article is seldom so good a judge of the danger or impropriety of any particular opinion or expression which escapes him in the ardour of composition, as a second or third person who exercises his cool judgment on it, after it is written. I shall, by this means, be satisfied, that nothing of undue warmth, or unseasonable irritation appear: and as the great mass of the supporters of the Journal are men of high minds and noble principles, as well as persons of weight and rank in the community, I shall thus be as well assured as I could desire, that nothing calculated to inflict an unnecessary pain on any class, will be permitted to be published. The firm tone and independent spirit of the Journal may, of course, be maintained by all: but to prevent any thing escaping that may be likely to do injury rather than good, I particularly desire that this power of censorship be permitted to be equally exercised by Mr. Sandys, Mr. Arnot, and Mr. Sutherland, and that nothing be published which is not sanctioned and approved by each of them.

I have nothing further to add, but my earnest hope that concord and unanimity will prevail among all parties; that the Journal may flourish under its present management, even more than under mine; and that it may continue to be the source of private benefit to all concerned in its preparation, and of public good to the Indian Government and the people over whom its rule is extended.

These regulations were drawn up by Mr. Buckingham at a period when he could have had no idea of what has since befallen him. When it is remembered that these instructions were framed at a time when Mr. Buckingham might be supposed to be highly irritated, for being, as he conceived, illegally removed from India, they do certainly exhibit a surprising degree of forbearance and good intention. I put it to the Court, whether it is fair that, after Mr. Buckingham has suffered the punishment of banishment, which the Government inflicted on him, his property which he left behind should be destroyed? What a feeling would be excited if such a case occurred in this country! Suppose the editor of the 'Morning Chronicle' were convicted of a libel, and punished by imprisonment, would it be tolerated that, after the legal punishment had been undergone, the Government should take measures to ruin the property of the paper, which some time ago was worth 40,000*l.*, and I believe is so now? The destruction of Mr. Buckingham's property is an additional punishment, inflicted on that gentleman in the nature of a fine. Originally, there was no idea entertained in India of punishing Mr. Buckingham by any other means than that of deportation. When Sir F. Macnaghten registered the regulations for the press, he declared, that if he believed the Government would interfere to take away the license and injure the property of the paper, he, sitting there as the representative of his Majesty, would never sanction the regulations. Under these circumstances, is not Mr. Buckingham entitled to the consideration of this Court? I ask not the Court to look at a single transaction which occurred previously to Mr. Buckingham's deportation, but only to take into consideration the misfortunes which have fallen upon him since that period. My hon. and learned Friend (Mr. Jackson) will give me leave to observe, that the apparent contradiction, which he thought he had discovered in the correspondence, will vanish upon a more minute inspection of the documents, and a strict reference to their dates. It is absurd to imagine that the Government could entertain any dread of the paper being *controlled* by Mr. Buckingham at a distance of ten thousand miles from the spot. Under all the circumstances of the case, I must declare that I never knew any person more completely robbed of his property than Mr. Buckingham has been. I do not say that it was done intentionally; but any body, aware of the nature of periodical publications, must be convinced that the course pursued by the Indian Government would cause the destruction of a large property. The whole establishment of the paper had been maintained for five months at an enormous ex-



pense, in the daily expectation of a license being granted; and, after all, the license was granted to Dr. Muston, only on condition that Mr. Buckingham should have no right or interest whatever in the concern.

With respect to the course of proceeding, if it be thought better to appeal to the Court of Directors, instead of calling for papers, I am willing to concur in the proposition; though, I must confess, it was mainly in consequence of my advice, that the latter course has been adopted. I thought that the Court ought to have the whole of the correspondence before them, in order to be fully prepared to discuss any motion which it might be considered proper to found upon them. If, however, the Court feels disposed, on the present occasion, to entertain any such proposition as the hon. and learned Gentleman has suggested, I and my hon. Friend are perfectly willing to accede to the arrangement. (*Hear, hear.*)

Sir JOHN SEWELL.—Sir, I have been surprised to hear the term “confiscation” introduced into this discussion. I cannot, after examining the papers which have been handed about the Court, discover that there has been any thing like confiscation. The word appears the more extraordinary, because Mr. Buckingham’s friends admit, that the Government acted legally in sending Mr. Buckingham from India, as a man whose conduct had rendered him unfit longer to reside in that country. (15) But what was the use of sending the body of the man away, if they allowed the paper to be conducted with his mind and spirit? (16) How then have the Government acted? They have allowed Mr. Buckingham’s agents to sell his shares in the best way they could. (17) With respect to the house and furniture, I have not heard that the Government interfered with them. With respect to the types, they had a certain value, on account of the use made of them by Mr. Buckingham, in the spirit to which I have adverted. So long as the readers of the paper imagined, whether right or wrong, that Mr. Buckingham did some way or other enter into the management, the property would possess an additional value. (*Hear, from Mr. Kinnaird.*) It is understood that Mr. Buckingham was not a man of fortune when he went to India; and something has, I think, been said about his success in India, enabling him to pay his debts. It appears that, in a short time, he raised the value of his paper to 8,000*l.* a year. I take it that the value of the paper arose from that very cause, which made it appear bad in the eyes of the Indian Government, namely, the improper mode in which it was conducted. (*Hear.*) (18) The types and workshops, which rose in value, on account of the manner in which they were employed, very naturally fell to the mere intrinsic value of stone and lead, when they could no longer be employed in that way. The sale of the property was inadvertent upon as if it was something unfair,—as if the Government had compelled the sale to a particular person. But this was not the case. Will it be said, that any friend of Mr. Buckingham could not have purchased

(15) Mr. Buckingham’s friends do not admit any such thing. It was but ten minutes before this assertion was made, that Mr. Hume expressly declared his belief that the deportation was illegal, and *all* Mr. Buckingham’s friends think it undeserved.

(16) Sir John Sewell must be a believer in the metempsychosis, if he supposes Mr. Buckingham’s mind and spirit could enter into Dr. Muston’s body; or, in the omnipresence of Mr. Buckingham, if he supposes that he could be in London and Calcutta at the same time; and yet, without one or other of these suppositions, how could he possibly give his mind to the paper after his body was removed? But Sir John Sewell is a lawyer, and is not bound to reconcile contradictions, though it is part of his professional duty to start them.

(17) This is not true. The Government declared that no men but such as they chose should even use the materials; and consequently there could be no competition among buyers, where only one man had any hopes of being able to use the things to be bought.

(18) All papers that censure Governments (however justly) are, no doubt, bad in their eyes; but that it was good in the eyes of the community at large, is best proved by the fact of the extensive patronage accorded to it by the servants of the very Government who denounced and destroyed it.

the types, and brought them to England, or taken them to Madras, or any other place? (19) The word "confiscated" is most improper; and as many gentlemen, who come here to vote, will not be at the pains of reading all the papers laid before them, the use of it has a tendency to produce a wrong impression on their minds. It is, indeed, a most inflammatory and improper word to be used on such an occasion. The whole history of Mr. Buckingham is shortly this: he went to India, and there pursued a course of conduct which raised him to affluence, but which was inconsistent with the well-being and safety of the country. (20) Nothing was taken from him at that time; and, subsequently, his agents were allowed to dispose of the property which he left behind him, in any way they thought proper, consistent with safety. It comes then to this, that he has suffered nothing but what even his most earnest advocates admit to be legal, namely, removal from India. (21)

The present proceeding, I understand to be in the nature of an appeal to the Court of Proprietors from the Court of Directors. In order that the Proprietors may have an opportunity of forming a correct judgment on the case, I think it is proper that they should have all the evidence before them. I therefore will not oppose the motion; as I understand that there will be no objection, on the part of the Court of Directors, to produce what papers the Proprietors may consider necessary.

Mr. GAIAGHAN.—Many of the remarks which have fallen from the hon. Proprietor who has just sat down, appear to be quite unnecessary. The term "confiscation," of which he so much complains, was never applied to any legal act of the Government. All that was meant by it was, that the extent to which the Government had proceeded had *operated* as a confiscation of Mr. Buckingham's property. (*Hear.*) I must quarrel with the hon. Proprietor for one of his doctrines, which is too monstrous even for a lawyer to broach. He has asserted, that because the legislature had given to the Governor-General the authority to remove Mr. Buckingham from India, it is a mere matter of course that he should have the power of depriving him of his means and appurtenances. I deny that—I say that the Government of

(19) One would hardly think it possible that such questions as these could come from a person who had filled the dignified situation of an English Judge, and dispensed justice from the bench of an English Court. Would it be no injury, if the Government of India were to say, to all the Merchants, Bankers, and Agents there—"Gentlemen, you must leave the country. You shall not sell the goodwill of your business to any successors, because we shall not allow banking and mercantile affairs to be carried on under your firms, as long as any of the former partners have an interest in them. We do not wish to injure your property. You may pull down your counting-houses, and take the bricks and mortar to England or Madras, and sell them; you may even take away your clerks' desks, stools, and inkstands, and sell them for the price of the wood and metal. We shall respect your property; and therefore take it where you please to be disposed of: but no purchaser shall use it here." This is exactly the course pursued towards Mr. Buckingham, yet Sir John Sewell can see nothing wrong in it. Truly, none are so blind as those who *will* not see.

(20) This has been often asserted, but never proved. The answer to it is, that the state of the country was never so prosperous or so tranquil as while Mr. Buckingham's paper existed, and has never been in such turbulence and real danger as since that paper was destroyed. Sir John Sewell may not know this, but all the rest of the world do.

(21) The absurdity of this reasoning is even still greater than its injustice. It is admitted that all men come into the world without any thing, and most men commence their career of manhood with very little. If, however, a man is, at any subsequent period, deprived of all he had ever earned, he is, according to Sir John Sewell's notions, only where he was at some anterior period of his life, and *therefore* no wrong is done him! According to this doctrine, every man in existence might be stripped and left naked in the streets; for there *was* a period in his existence when he was in a similar state of nakedness, and it would be only therefore putting him back to his original condition. Are we in a civilized country to hear such doctrines from the mouth of a pensioned Judge?

India were authorized to banish Mr. Buckingham if they considered it expedient; but having done that, they had no right to go farther. If it were possible for Mr. Buckingham to have left an engine in India, to be worked by steam from England, by which he could propagate his doctrines, the Government of India would have no right to remove that engine. I contend also, that the Government had no right to impose any conditions upon a person applying for a license to publish a newspaper. When Dr. Muston applied for the license, the Government might have refused it altogether if they had thought proper; but they were not to say, "you shall have it on condition that Mr. Buckingham has no interest in the paper;" or on any other condition. If an unconditional license had been given to Dr. Muston, he was aware that he would use it at his peril; and if Mr. Buckingham's influence had been found operating in India, the Government could have deported Dr. Muston in the same way that they deported Mr. Buckingham. But what is meant by influence? Is it physically possible that, whilst Mr. Buckingham was residing at Cornwall Terrace, in the Regent's Park, the paragraphs which would appear daily in India could in the remotest degree be influenced by him? (*Hear.*) If it were a yearly or half yearly publication, there might be some weight in such an argument; but what we are speaking of is a daily newspaper. Of what weight then is such an objection? Under all circumstances, it is my sincere opinion that Mr. Buckingham's case is one which calls for our sympathy, and I trust that the Court will extend it to him.

Before I sit down, I wish to advert to one point. A great deal is usually said in this Court about talking behind a person's back. I am willing to admit, that it would perhaps be unfair to state any thing of an absent person which would directly impeach his character for honour and integrity; but can that principle be applied to the public acts of a government abroad? (*Hear.*) If such a principle were established, we must wait till Lord Amherst and his colleagues have ruined India, till they have reduced the empire to a state of nonentity, and have returned home, before we venture to make a single complaint. It is the *argumentum ad absurdum*. Here we have the data upon which to found our decision. Here is the evidence that Mr. Buckingham has been deported, and that his property has been confiscated. Let us apply a remedy to the case, and disregard the idle, puling, and chamber-maid discourse about attacking a man behind his back, which I detest and loath. (*Hear.*) I only hope that the documents before us may form the only accusation against Lord Amherst. It is not, however, upon Lord Amherst that we are to give judgment, but on the case of Mr. Buckingham, who claims from us some small indemnification for the extreme injustice which he has suffered.

Sir J. SEWELL explained.—He had never said that the Government had a right to interfere with the materials of Mr. Buckingham's establishment, nor had they done so. With respect to the influence which Mr. Buckingham might exercise over the paper, it was well known that ships sailed for India, almost every week, by which he might have kept up a constant communication. (22)

Mr. R. JACKSON begged leave also to explain. All that he had said was, that the language imputed to Lord Amherst was contradicted by the papers circulated by Mr. Buckingham. It was only at the last Court that he had contended for the right of investigating the public conduct of every man, whether at home or abroad.

General THORNTON.—I am sorry to find that any feeling of opposition has been shown, because I thought that the Court was coming to a good understanding on the subject, and that a motion was to be substituted for the one before us, which would obtain general sanction. What the learned Gentleman (Sir J. Sewell) has said about the types, is of little importance—we

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(22) True; but any man in India who should dare to publish any thing which Mr. Buckingham might write and send from England, would do so at his peril.

have to consider the ruin of a great establishment. It is quite absurd to say, that after Mr. Buckingham was banished he could be of any danger to India. It does seem to me that Mr. Buckingham has been extremely ill used. It is agreed on all hands that he is a man of high character, and I cannot conceive why he has been treated with such harshness, unless, as has been suggested, because he had got a bad name in India. Mr. William Bankes circulated unfounded calumnies, which were repeated by Mr. Bankes, senior, and excited a prejudice against Mr. Buckingham in India, which prevented the authorities from exercising that discretion towards him which otherwise, perhaps, they would. Mr. Buckingham has proved the calumnies which were spread against him to be unfounded in a court of law. His conduct proved that he was not a violent man, for he might have got heavy damages, but he contented himself with clearing his character. It certainly appears to me very extraordinary, that with all Mr. Bankes's wealth he does not make Mr. Buckingham some compensation for the injury which he has done him. Such a proceeding would do him great credit. This certainly is not matter for our consideration, but I could not help stating, that the impression on my mind is, that Mr. Bankes, senior, is bound to make Mr. Buckingham some remuneration. I hope that this Court will adopt any motion that may be proposed for Mr. Buckingham's advantage. (*Hear.*)

Dr. GILCHRIST.—I have attempted, Mr. Chairman, to attract your attention once or twice before in the course of this debate. I am happy, however, that you did not notice me, because it enabled one or two honourable gentlemen to state facts which are calculated to give a tone of mercy, if not of justice, to the proceedings of this Court. I repeat that I am happy that an hon. Baronet, who anticipated many of the observations which I had intended to address to you, has turned the attention of the Court to a merciful view of this subject. In all public assemblies of Great Britain it is too much the custom of the speakers to interlard their speeches with quotations from Greek and Latin authors—authors who belong to a country of which we know little, and with which we can have no connexion. I hope that the frequency of such a custom will justify me in making a quotation from one of the poets of India—a country of which we know something, and with which we carry on a large and profitable connexion. Though we are accustomed to consider them as debased and degraded in mind, and infinitely below ourselves in the scale of intellect, the bards of that country speak to their kings in a language that would not disgrace more civilized nations. If we have a bare unmitigated despotism in India, as some have asserted, and if we support it in the gross violation of the rights of persons and of property, why e'en let it be so, if we pay for our whistle, and are willing, when it is done, to repair the mischief which our servants are in the habit of inflicting. There is a sentence of an Indian poet so applicable to this point, that I cannot refrain from quoting it to you. I will not give you too much of the original lest it should perplex you, (*A laugh.*) but I must give you four or five verses of it, if it be only to inure you to the sound of the language of your subjects. I will afterwards give you a translation in English, in order that it may be understood.

The hon. Proprietor then repeated the following lines :

Khurabee zi be dad beend juhan  
Choo boostani khoorrum zi badi khizan  
Mudih rookhsuti zoolm dur hech hal  
Ki khoors hurdi moolkut nu yabud kumal  
Mukoon bur zueefani be charu zor  
Beendesh akhir zi tungee egor !  
Muhoon murdoom azaree ne toond rae  
Ki naguh rusud bur to ghuri khoodee.

which he translated thus :—

As storms destroy bright autumn's cheerful robe,  
So foul injustice desolates the globe:

Such ruthless kings as by oppression reign,  
 Their empire's crescents prematurely wane,  
 Crush not the man, whose hopes on you depend,  
 Ah! think betimes how—where such deeds must end;  
 Nor goad the wretched on to fell despair,  
 Slight not their sighs as passing breaths of air,  
 Lest these collected may your prospects blast,  
 And whelm your thrones with thundering storms at last.

Now, Gentlemen, if poets in India can express such noble sentiments to their rulers, sentiments of which the expression is praiseworthy even in a free and civilized country like our own, it is not unfitting for me to remind you, that mercy with justice is the noblest attribute you can show to the world. On this occasion I implore you to extend it to Mr. Buckingham. I have long had the honour of being acquainted with that gentleman, and I can add my testimony to those which have already been given from other quarters, that a more upright and honourable man does not exist. With regard to the obliquity which has been ascribed to him, I know nothing; but as I saw him lying ill in his bed in the Regent's Park in November last, I think that, if he had possessed the privilege of being every where, he would have given me the satisfaction of seeing him in some other place. You have heard two lawyers advise you not to interfere on behalf of this unfortunate individual, and to withdraw yourselves entirely from the side of mercy. Now, I appeal to you as honest men, unconnected with either law or gospel, and hope that you will be persuaded to extend to his large family of young children, and to his interesting wife, that protection which your bad system of government, and not his demerits, has rendered so essentially necessary to his repose and happiness.

MR. DOUGLAS KINNAIRD.—It is not my intention to trespass on the Court for more than a few minutes, and I say so with great sincerity, because I have met with no contradiction to the statement which I made at the outset of this discussion, and have heard nothing from any part of the Court to impugn the character which I ventured to deliver of Mr. Buckingham, even in his own presence. I trust that not one statement or argument of any description has been this day used, which can induce the Court to withhold its sanction from the proposition I offered to it, or which can obstruct those kind and generous feelings which impel those who see in Mr. Buckingham the victim of a long series of unfortunate events,—(and no one has stated, or indeed can state, that Mr. Buckingham has merited, by his conduct, the sufferings he has endured)—to extend to him their sympathy and commiseration. I understand it to have been this day universally admitted, that if state necessity warranted the confiscation of his property, and the completion of his ruin, it was not occasioned by any thing that can cast an imputation upon his moral character, but by his having mistaken the law and government of the country in which he had the misfortune to live. This is the ground on which I first put this question, and nothing which I have since heard has led me to wish that I had altered it. I therefore take it for granted, that if the vote of the Court be not this day given in support of my motion, it is not from any unwillingness on those who dissent from it to lend a hand to relieve Mr. Buckingham from those dreadful misfortunes, which, without such relief, must inevitably overtake and overwhelm him. I trust that no member of the Court, who now hears me, will hold up his hand against the proposition of my hon. and learned friend on the floor, [Mr. R. Jackson,] which I am not unwilling to substitute for my own; and I hope that every member who now supports that proposition, will rejoice in having given it, on some future occasion, when he finds that it has afforded him the means of remunerating Mr. Buckingham for the great losses which he has, by some means or other, undoubtedly sustained. I admit that the main question now comes before the Court, in the shape of an appeal to gentlemen of property—for such you are—to put their hands into their pockets, and to say that Mr. Buckingham must be relieved, as he is more particularly connected with us as a Proprietor than as a fellow-subject. A small donation, at the present moment, will

rescue him from the misfortunes which have fallen, and are about to fall, upon him, not on account of any misconduct of his own, but on account of the conduct, I do not say misconduct, of your Government towards him. If you do not think that you are called upon to make it in the name of justice, grant it to him in the name of Christian charity.

Before I conclude, I must beg leave to notice some observations that have been made in the course of the debate. At the outset of it, I laid it down a rule, which I trust that I followed during its progress, to abstain, as far as possible, from the poetical consideration of this question. My hon. and learned Friend on the floor has lamented that I did not abstain from it altogether, and has complained that I have gone out of my way to make an attack upon an absent person. Now I appeal to the memory of the Court, whether I touched upon either of those topics more than was necessary to prove that the property of Mr. Buckingham had been unnecessarily sacrificed, either by the fears or jealousy of the Bengal Government. I could give the Court a powerful reason,—a reason, indeed, that is more powerful with me than any other, why I did not attack the conduct of Lord Amherst,—for he, I presume, is alluded to under the name of an absent person. No one feels more strongly than I do what is due to those who are not present to defend themselves; and, as a proof of it, I will say, that the conduct pursued by the Court of Directors towards Lord Amherst, the last time that I ventured to impugn his administration, has closed my mouth against him now and for ever. That conduct placed me in a situation most distressing to my own feelings; it will make me cautious how I place myself in a similar situation in future, and it has induced me to declare thus publicly, that, let what will happen in India, I will be silent with regard to Lord Amherst. That the Court of Directors should hear accusation after accusation launched against that noble Lord, and that not one of them should say a single word in his defence,—that I should be placed in the situation of appearing to speak against him in the absence of all those who were bound, by their official station, to defend him, is a predicament in which I never before was placed, and in which I trust that I shall never have the misfortune of being placed again so long as I shall live. I am sorry, beyond all expression, that I have once been placed in it; and if I could, by any possibility, have anticipated what then happened, or any thing like it, I should have been the last man in the world to volunteer an attack upon Lord Amherst. I make this statement as an explanation of the conduct which I shall hereafter pursue with regard to that noble Lord. I do not attack Lord Amherst, because none of his employers, whose confidence he either enjoys or ought to enjoy, are ready to defend him. The result of the former discussion, I again repeat, I sincerely lament. I should not have originated it, if I could have supposed that, out of the many natural defenders whom his Lordship ought to have had here, not one of them would be prepared to utter one solitary syllable in his behalf. I have not alluded to the conduct of his Lordship in this transaction more than I could help; but, in order to render my statement intelligible, I was obliged to say, that I thought that there was, at least, error in the conduct of the Bengal Government in seeking to disqualify Mr. Buckingham, as they did, from disposing of his property to the best advantage in Calcutta.

I must now appeal to the hon. and learned Gentleman who spoke late in the discussion, and ask him, whether he thinks, that in the tone of levity with which he described Mr. Buckingham's disasters, he gave fair play to that gentleman, either with regard to his property, to his character, or to his conduct? The hon. and learned Gent. in an unfeeling lawyer-like manner, says, as he strikes the balance between the former and the present situation of Mr. Buckingham, "What is he the worse? He went to India without any property—he has none now—he is therefore not worse off than he was before." The hon. and learned Gent. has filled many high official situations, and has at this moment a pension from the government.

Sir J. SWETLAND.—I have no pension from the government. I have one from my country. (*A laugh*). It is the reward of past exertions—it was stipulated that I should have it before those exertions were made.—(*Hear, hear.*)

Mr. D. KINNAIRD.—Suppose that pension were to be taken from the hon. and learned gentleman.

Sir J. SEWELL.—It cannot be taken away. I have the faith of Parliament and the country pledged in support of it.

Mr. D. KINNAIRD.—So much the better for the hon. and learned Gent. I can assure him that in alluding to it I meant him no discredit. I am quite sure that what he has, he has honourably, and as a reward for honourable exertion. But I ask him, whether a man, who has acquired, I will not say a pension, but property, by the fair exercise of his talents, and has subsequently lost it, owing to the caprice or injustice of others, is not to be thought ill-treated, because he is not worse off than he was before the acquisition of such property? The hon. and learned Gentleman, in another part of his speech, shows a wondrous ignorance of the manner in which the property of Mr. Buckingham was wasted. He says that Mr. Buckingham, if he was prevented from selling his types and lead in Calcutta, might have brought them with him to England. The hon. and learned Gent. might as well have said that Mr. Buckingham might have brought back the bricks and mortar of his printing-house. I ask him whether he can deny, that, if Mr. Buckingham had sold his establishment on leaving India, he might have realized by the sale £20,000? and whether he means to say, that Mr. Buckingham, if he was subsequently disqualified from bringing it to market, by not being allowed to retain any property in any paper in India, has not lost thereby 20,000l.? Does the hon. and learned Gentleman mean to use so paltry a quibble as this, that, because the government did not say to Mr. Buckingham, "You shall not sell your types;" but only "no man shall have a license who uses them for you," they did not prevent him from disposing of his property to the best advantage? That the Bengal government did use this language was proved under the hand-writing of Dr. Muston. Is it not saying that Mr. Buckingham shall not have a fair sale of his property in the open market, when it is said, that "we have no intention to injure you, Dr. Muston, by refusing you a license; but we will not give a license to any paper over which Mr. Buckingham is permitted, either directly or indirectly, to exercise any influence."

I quit however this part of the case, and instead of appealing to your justice, appeal to your humanity and mercy. If ever there was a case in which you can display them with honour to yourselves, and benefit to all who are connected with you, it is the present case. If you will not grant to Mr. Buckingham that remuneration which is asked of you as a debt of justice, grant it to him as a tribute to talent and to misfortune. The amount is to you trifling, to him of paramount importance. Accede at least to the motion of my hon. and learned Friend below me. By so doing, I am sure you will make the Court of Directors feel, that you have imposed upon them the discharge of a most amiable duty, and will entitle yourselves to look upon them with respect and gratitude, for enabling you to rescue from misery and ruin, the wife and family of a most amiable, upright, and irreproachable man.

Sir JOHN SEWELL.—I request the attention of the Court to a few words which I have to say in explanation. It has been stated, that I have spoken in a tone of levity of the misfortunes of Mr. Buckingham, and that I have not shown him fair play in the remarks which I made upon the alleged destruction or confiscation of his property. I plead not guilty to the charge which has been brought against me. I appeal to the Court whether I treated Mr. Buckingham's misfortunes, if they are so to be styled, with levity. What I said, in speaking of the difference between Mr. Buckingham's former situation and his present, was this: that his conduct, in rendering his deportation from India a matter of state necessity, had placed him in a situation not worse than that in which he was placed when he first went to India. I said, too, that the value which attached to Mr. Buckingham's types and printing presses, arose out of the improper and dangerous uses to which he applied them; and it was only natural that they should lose their adventitious and return to their original value, as soon as he was prevented, by his removal from India, from applying them to those uses. I have made these observations

by way of explanation, because I do not wish it to go forth to the world that I have treated with levity the sufferings of any man. If I know myself at all, I am utterly incapable of such disgraceful and ungenerous conduct.

The CHAIRMAN.—Before I proceed to put the question, I would wish to remind the Court of the situation in which that question now stands—a proceeding which I consider to be rendered absolutely necessary by what has just fallen from the hon. Proprietor on the other side of the bar. The motion originally submitted to the Court is, that all papers which have passed between the Court of Directors and Mr. Buckingham be laid before it, as also all proceedings of the Bengal Government referred to in the correspondence above-mentioned. Now, I say, that from the manner in which the hon. Proprietor has been discussing the merits of this case, it would appear as if those papers had been already produced, and not as if he were only moving for their production. If his motion had defined the nature of the papers for which he intended to ask, I might not perhaps, speaking in my individual capacity, have made any objection to it. But the case is now very different; the hon. Proprietor asks for all the papers, and *all*, we know, is a large word. If the Court of Proprietors wishes to have those papers, I shall have no objection to support the motion for their production, provided that it be not considered as binding either the Court of Directors or myself to an implied acquiescence in the grant which it is proposed to found upon them. At the same time I must observe, that during the whole time that this subject has been under the consideration of the different authorities at home—I speak of those in this Court and those out of it—I have not heard one opinion expressed, either by the authorities of this Court, or by others, differing from that which was originally expressed by the Bengal Government, and on which they forthwith proceeded to act. It is, therefore, for the Court of Proprietors to decide whether, after all that has passed, they will give their sanction to the motion which has this day been submitted to it. For myself I can only repeat, that should it be the desire of the Court that the papers now asked for be laid before it, I shall cheerfully acquiesce in it, in order to convince you that no feeling of hostility against Mr. Buckingham prevails either in myself, individually, or in the Court of Directors generally, but that his case stands entirely upon its own merits, and will be decided by those merits, and by those merits alone.

The DEPUTY-CHAIRMAN spoke in a tone of voice which was barely audible in the body of the Court. His speech, if we heard it correctly, was to this effect. “I think it right, on many accounts, that the motion of the hon. Proprietor should be answered, and more particularly so, because there appears to be a difference of opinion as to the mode of proceeding between the hon. Proprietor himself, and his hon. and learned Friend who has suggested an amendment. If I understand that hon. and learned Gentleman aright, he intends to move for those papers only which passed between the Court of Directors and Mr. Buckingham *after* his departure from India. (*Hear, hear, from Mr. Randle Jackson.*) If that be so, then against that course I, for one, beg leave to enter my protest. For I consider that the justification of the Bengal Government rests upon the contumacious conduct of Mr. Buckingham in India, which forced it to adopt the strong measure of deposing him from that country. Now, no description of that conduct will be found in those papers, and upon that point, as I just now said, the merits of the case of the Bengal Government will mainly, if not entirely, depend. If, then, the Government were, in the first instance, compelled, by Mr. Buckingham’s pertinacious perseverance in disregarding their regulations, to remove him from India, surely all the disastrous consequences resulting from that removal must be upon his own head, and not upon those of the Government in India. (23.) These papers will not, I contend, place the whole question

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(23) It seems to be forgotten, that before Mr. Buckingham was sent from India there were no regulations for the press that had the force of law: they were only enacted *after* Mr. Buckingham came away. If they existed, and had the force of law *before*, their re-enactment was unnecessary. If they did *not* exist (which their subsequent enactment proves,) then Mr. Buckingham was punished



before the Court; and if the whole question be not before it, the Court will not be in a condition to give a sound judgment upon it. In making these observations, I beg that it may not be understood as encouraging the production of any papers at all. I say that no papers are wanted, and that if any be produced, it is only right that all should be produced.

Mr. ASTELL.—I rise for the purpose of expressing my concurrence in every word which has just fallen from the Deputy-Chairman. At the same time I must observe, that notwithstanding the implied disavowal of the hon. Proprietor, who originated this question, I cannot but think, that under a new name it is the question of the propriety of Mr. Buckingham's deportation from India, which we formerly discussed in July 1823. (*Cries of No, no.*) To the Gentlemen who cry "No, no," I shall give an answer in a few minutes; they will have the right of replying to me afterwards; but, in the meanwhile, I trust that they will permit me to argue that it is as I have stated it. The motion, if I understand it, is to embrace all the papers which were before the Court of Directors in July 1823, when the Court of Proprietors almost unanimously determined to approve of the measures of the Bengal Government in the first place, and of what the Court of Directors had done in confirmation of them in the second. On every thing, therefore, which occurred up to that period, the question is closed by a solemn and deliberate decision of the Court of Proprietors. But it is said, that we are not rearguing that case, because many things have occurred since to give it a different complexion. If we are not rearguing it, for what is it that we are met? for what is it that we have heard so much of the harshness which banished Mr. Buckingham from India? Such being the case, I object to the production of any papers whatever. It is not necessary upon my showing, neither does it appear to be necessary upon the showing of the hon. Proprietor himself, who, by abandoning the first motion, has given up the justice of his case, and now argues it as a matter of compassion. I hope that the Court of Proprietors know me too well to think me deficient in feelings of compassion, because I cannot give my vote to Mr. Buckingham upon the grounds on which it is now asked for. That Mr. Buckingham is a man of talent I am now as ready to acknowledge as I ever was; but I must repeat to this Court, what I formerly said of him, that he is a man of no judgment; and the Court of Directors will not, in my opinion, be acting with sound judgment, if they recommend a pecuniary grant to be made to Mr. Buckingham for the want of judgment he has displayed, and for the evils which have ensued to him in consequence of it. (24) Besides, we ought to recollect that we are trustees for the absent Proprietors, and that we ought not to vote away their money in grants of which they have no knowledge. If we transform ourselves into a board for the relief of the distressed, we transgress the objects for which they have empowered us to act as their trustees. I believe that all this is as well

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for offending against a *supposed* law, which had no real existence. Besides which, the disastrous consequences alluded to did not arise from Mr. Buckingham's removal at all, but from measures pursued towards his property long *after* his removal; and with which, consequently, his own conduct could have had nothing whatever to do.

(24) The only possible manner in which Mr. Buckingham's want of judgment has been the cause of his misfortunes is this:—On leaving India, instead of selling his property, he left it behind him, in the confident assurance, that whatever hostility might be entertained towards his *opinions*, none was felt towards his *property*; and several successive declarations of the Judge and Government in Bengal strengthened him in this conviction. Subsequent events, however, have shown, that Mr. Buckingham was, as Mr. Astell characterizes him, a man of no judgment, or at least of an unsound one. He confided in the assurances of the authorities named, and he was deceived: he left behind him all his property, believing it to be safe, and it has since been destroyed. In this he manifested great want of judgment, it is true; for he should have known his enemies better. But can any man place his hand upon his heart and say, that this is a want of judgment for which a man deserves to be utterly ruined, and his family reduced to beggary?—God forbid!

known to the hon. Proprietors opposite as it is to myself; but as they have tried one tack and failed, they think it right to try whether they cannot succeed by going upon another. You have in consequence been addressed as fathers, husbands, and friends; and have been conjured in each of those relations to recollect the misfortunes which are now impending over the head of Mr. Buckingham. Whilst I recollect this, I cannot be induced to forget the duty which I owe to the Proprietors at large; and with the knowledge of that duty before me, I shall oppose any application of the funds of this Company to the remuneration of Mr. Buckingham for the losses he has sustained. (25)

Mr. D. KINCAID.—As I am the originator of this discussion, I hope that I may be permitted, out of courtesy, to say a few words in answer to what has fallen from hon. Proprietors rather irregularly since this debate was regularly concluded by me. Indeed, as my motives have been attacked, I am entitled on that ground, if I had no other, to claim your attention for a few seconds, whilst I step forward to vindicate and defend them. I maintain, that during these transactions I have not been a manoeuvrer at all; and I affirm, that the sole cause why this question has been brought forward so late is, that it was only subsequent to the last motion on this subject that the amount of these losses became known to Mr. Buckingham. It is not courteous to suppose that I have been talking about to find a way to success—I have been making no tacks. I disdain it. The hon. Director misstates the fact, when he asserts that the topics, which I have ventured to disclose to the Court this day, were brought under its discussion on a former occasion. It is not so; it is not the old story over again. We ask for those papers now on which we may hereafter justify ourselves to the world, in asking the Court to let us go to a ballot, on a grant for the remuneration of Mr. Buckingham.

The CHAIRMAN was then proceeding to put the question to the vote, when

Mr. R. JACKSON rose.—“I hope,” said he, “that I may be allowed to say a few words on behalf of the amendment which I took the liberty of suggesting in my speech. I thought that it would be advisable to refer the whole of this matter to the favourable consideration of the Court of Directors. I think so still, and I trust, that as they found in the case of Mr. Arnot, who was banished from India for a similar offence to that committed by Mr. Buckingham, circumstances which induced them to extend to him their commiseration and kindness, so they will find similar circumstances in the case of Mr. Buckingham. Under this impression, I beg leave to move that ‘the Court of Directors be requested to take into their consideration the losses sustained by

(25) Mr. Astell has been for upwards of twenty years a Director of the East India Company, during which period various grants have been made from its funds: 60,000*l.* to Lord Hastings, 20,000*l.* to Mr. Wilkinson, 6,000*l.* to Mr. Marjoribanks, and others not immediately remembered. Mr. Astell must know, that on the next payment of the dividends following these grants, no Proprietor received a farthing less as *interest* on his stock, and no diminution whatever took place in the value of the *capital* held by him in the Company's funds. It is a fallacy, therefore, to say the least, to suppose that any absent Proprietor would be injured by such a grant. When Lord Hastings left a *surplus* revenue of three millions annually in Bengal, the Proprietors received 10½ per cent only. Now that Lord Amherst has reduced this prosperity to a *deficiency* of three millions, the same Proprietors still receive their 10½ per cent. as usual: and the price of stock has only fallen with the general decline of all other funds. It, then, a *surplus* or a *deficit* of *three millions* does not affect the Proprietor's dividends in the slightest degree, how is it possible that a grant of a few *thousands* should injure them? Mr. Astell cannot but know that it is impossible. It was but at the last Court that Mr. Marjoribanks, the Chairman, admitted that the dividends came from *commercial* profits alone. Now this, if granted, would be a *political* charge, as much so as the paying for a transport or fire-ship blown up in the course of the war for the public good, and would not touch the commercial profits in the least. It would in no degree affect the Proprietors' interests under whatever head *you* name; and if *this* were the only real objection, it might be granted without difficulty.

Mr. Buckingham after his departure from India, and that they be assured, that, if they find the circumstances of Mr. Buckingham's situation to be such as to induce them to extend to it their sympathy and pecuniary aid, they will meet the cordial support of this Court."

Sir C. FORBES seconded the motion.

On the question being put, the CHAIRMAN desired all Gentlemen, not being Proprietors qualified to vote, to withdraw.

Dr. GILCHRIST.—I am not yet qualified to vote as a Proprietor, but I trust, that as I am a Proprietor, and plainly avow that I do not mean to vote, I shall not be called upon to retire. If, as I cannot vote and must retire, I ask by what law it is so ordered? If there is no law on the subject, I shall not set an example by which the rights of Proprietors may be infringed in any person.

The CHAIRMAN.—I have been a member of this Court for many years, and can say that, as far as I know any thing of its practice, those Proprietors who have not been qualified to vote, have always been accustomed to retire upon a division.

Dr. GILCHRIST.—I wish to know if it be right that I should be excluded. If it be, I will retire with cheerfulness. But I remained in the Court during a division on its last meeting, though I had no right to vote, and no objection was made to my doing so. Before I go, if go I must, I should like to know the principle on which I am excluded.

The CHAIRMAN.—I repeat that I have long been a member of this Court, and that I never heard the order of the Chairman, to the unqualified Proprietors to retire, disputed until this occasion.

Dr. GILCHRIST.—You did not call upon me to retire at the last Court, Mr. Chairman, when the division took place, though you knew me to be a Proprietor of less than twelve months standing. If I could be permitted to stay then, why may I not be permitted to stay now?

The CHAIRMAN.—I did not call upon the hon. Proprietor to retire on a former occasion, because I wished to avoid confusion. For the very same reason on which I formerly permitted him to stay, I now call upon him to retire.

Mr. HUME.—By what law, Mr. Chairman?

Mr. WEDDING.—(From the body of the Court.) By the law of common sense.

The CHAIRMAN.—I am not surprised at the observations of Dr. Gilchrist, who is a comparative stranger among us, but I am surprised at the conduct of Mr. Hume in supporting them, seeing that Mr. Hume has been long a member of this Court, and is well acquainted with the practice which prevails here, as well as in other places.

Mr. HUME made some observations, but the confusion in the Court rendered them inaudible. At length he exalted his voice, and said, "I trust that gentlemen who cannot be silent, and will not observe the decency of debate, will retire from this Court, which they are disturbing by their presence. An hon. Proprietor has talked to me of the law of common sense, and has thereby shown that he knows nothing of the proceedings of great public bodies. The rule of the House of Commons is, that every member may attend upon a committee, though none are permitted to vote in it, save those who are specially selected to form it. Any member, however, may be present whilst the committee is dividing. Far, therefore, as the gentleman's common sense may go, he has shown himself to want common knowledge, and common information. If any law exist for the exclusion of Proprietors, who are not yet qualified to vote, from the Court, during a division, we ought to know it. I should like to know whether such a rule is founded upon law or custom."

The CHAIRMAN.—We have heard a great deal too much on this subject; but, to put the question at rest, I shall now move that Dr. Gilchrist do retire.

Mr. R. JACKSON.—If the hon. Proprietor will allow me to advise him, I can, perhaps, remove the scruples which he has about retiring. I can assure him that it is, and long has been, the usual practice for all unqualified Proprietors to retire at a division. His good sense, I am convinced, will discover, on a moment's consideration, that great inconvenience would arise if such were not

the practice. The lapse of a few short months will make the learned Doctor equal with ourselves, and, till then, I hope he will retire from us during a division.

The DEPUTY-CHAIRMAN.—I agree in every thing which has just been said by the hon. and learned Proprietor. But, to put the question beyond a doubt, I will read sect. 5. chap. 8. of our by-laws. It is thereby ordered, that no person be present at any debate of this Court, who is not possessed of 500*l.* East India stock.

Dr. GILCHRIST.—That rule does not apply to me, for I own 1000*l.* of your stock. If I have been wrong in staying now, it is in consequence of my being allowed to stay during the division at the last Court, and of my being unwilling to allow the right of any Proprietor to be infringed in my person.

The CHAIRMAN.—Then I request you, Dr. Gilchrist, to retire now.

Dr. GILCHRIST.—As it is a request of yours, Mr. Chairman, I will retire out of respect to you.

The CHAIRMAN.—On a former occasion I did not give you the trouble of withdrawing, because there was more daylight than there is now, and the Court was nearly unanimous. At present the case is very different, as the Court seems nearly balanced on the question upon which it is going to divide. I must therefore know who are Proprietors qualified to vote, and who not; and it is for that reason that I again request you, Dr. Gilchrist, to withdraw.

Mr. HUME.—I know of no compulsory process by which a Proprietor, who is not qualified to vote, can be called on to retire. There is nothing in your charter, nothing in your by-laws, nothing in any Act of Parliament, that renders it imperative upon a Proprietor in Dr. Gilchrist's situation, to withdraw from a division. Why, I myself have seen, over and over again, more than fifty persons staying during a division in the gallery above.

Mr. WIGRAM.—I understand that no person can be present, except by courtesy, at our debates, who is not possessed of 500*l.* or 1000*l.* of our stock, and I have invariably observed, that all Proprietors, who have not been possessed of stock to that amount for twelve months, have invariably retired when the Court has been going to divide. The object of the Court, at that time, is to ascertain the numbers on each side of the question; and how is it possible for any teller to make them out, when he does not know whether those Proprietors who are present are qualified to vote or not? It is therefore necessary for those who are not qualified to retire. The hon. Member for Aberdeen has quoted the practice of committees of the House of Commons, and not of the House itself; but that practice proves nothing, as it is mere matter of delicacy from one set of members to another. They are allowed to stay during the division of a committee as matter of courtesy, but they have not the power to claim it as a right.

Mr. D. KINNAIRD.—The worthy Director is mistaken in the practice of the House of Commons. Members have a right to remain during the division of a committee, though they may not have a right to vote upon it. I can see no inconvenience resulting from Dr. Gilchrist's staying in Court whilst we divide, which does not arise under the present system. For instance, a Proprietor may remain in Court during the division, who does not choose to vote either on one side or the other. What is to be done then?

The CHAIRMAN again repeated that it was the invariable practice of gentlemen, who had not been Proprietors for twelve months, to retire during a division; and he trusted that that practice would be observed on the present occasion.

Dr. GILCHRIST then made a bow to the Chairman, and retired.

The original motion was then put and negatived; only twelve hands were raised in support of it.

On Mr. R. Jackson's amendment being read from the Chair,

Mr. HUME demanded a ballot.

The CHAIRMAN informed him that he was too late.

The amendment was then put and negatived; fourteen hands only were held up in support of it.

**Mr. HUME.**—As the rules of the Court have deprived me of the opportunity of demanding a ballot now, I give notice that I shall present to you a requisition, signed by nine Proprietors duly qualified, for a ballot on this question.

The CHAIRMAN.—I shall attend with pleasure to any document so presented to me.

OUDE PAPERS.

**On the question, that this Court do now adjourn,**

Sir J. DOYLE rose.—I am happy (said he) to observe an hon. Director present, as his presence will relieve me from a scruple of delicacy which I should otherwise have felt in taking the step which I am now going to take. I call upon the hon. Director, to whom I allude, and request him that he be pleased to explain to us uninformed Proprietors what was his motive for printing such an enormous mass of papers as I have now before me; what ulterior measure he intends to found upon them; and at what time he intends to bring it forward before us. I call upon him to give us this information, because it is impossible, either here or in the two Houses of Parliament, to discuss such a mass of papers, without having some previous time given to prepare for it. As the Court is already exhausted by the long debate which has just closed, and as I do not wish to take the hon. Director by surprise, I give him notice that after I have received his explanation, I will . . . . But first I call upon him to explain the object which he had in view in publishing these papers, at an enormous expense, and what ulterior measure, if any, he proposes to found upon them.

**Col. BAILEY.**—As a question has been put to me by the hon. and gallant General, and as an answer to it may be expected from me, I hope that I may be permitted to say a few words, though I perhaps may fairly consider myself excused from giving any answer to it at all. My answer is, that I did not move for the printing of the mass of papers to which the hon. and gallant General has been alluding; and therefore that I could not have any object in a motion which I did not make. I know not how it has arisen, but the hon. and gallant General certainly labours under a mistake, in stating that I moved either for the production or printing of those papers.

Sir JOHN DOYLE.—I am sure that the Court will forgive me for reminding it that there is a well-known maxim of law, which declares *Qui facit per alium, facit per se*. The hon. Director might not move for them himself; as he says that he did not, I have no doubt that it is so; but the circumstances which led to the publication of this mountainous volume, are still fresh in the recollection of us all. When the Marquis of Hastings returned from India, after an administration of nine years,—on which I shall say nothing at present, except that he left it with the recorded approbation of his employers, and that they must see a wonderful contrast between the state in which he left it and the state in which it is at present,—but, when the Marquis of Hastings had finished his administration, he thought it his duty, as an honest steward, to show you how he had discharged the trust which you had confided to him, and to publish an explanation of the system of his Government. He took advantage of his first leisure time, to compose a summary of the measures of his administration. After he had composed it, he transmitted it to the Court of Directors, who did not consider it as a public document, because, at the time when it was transmitted to them, the noble Marquis was no longer in their public service. Such a determination on the part of the Directors might be proper, or might not; on that point I shall give no opinion at present; I shall only say that, upon my motion, it was subsequently over-ruled by the Court of Proprietors. The noble Marquis's summary was in consequence published. The hon. Director, who has just addressed the Court, subsequently made a statement, at variance with the statement of the noble Marquis's summary, in the course of an examination before a Committee of the House of Commons on the state of the foreign trade of the country. An hon. Friend of mine, who happened to be a member of that Committee, noticed the discrepancy, and reminded the hon. Director that he should either notice it or account for it. He did neither at that time;

but a motion was subsequently made from the Chair, for the purpose of elucidating this discrepancy. Now, I will undertake to say that it never was in the contemplation of the hon. Bart. who made that motion, to move for the production of this enormous mass of papers. There has been a mass added to those originally called for—I know not by whose or by what authority—which is absolutely appalling, and at an expense, too, which, in the present state of our finances, ought not to be overlooked. I calculate that the expense of printing these papers will not be less than 5000*l.*; and though this sum might not have been worth your notice at one time, the case is altered now, by the unprecedented expenses of the war in which you are engaged. If the avowed object for which these papers were printed were the real object, ten pages might have answered it; whereas, instead of that number, you have, gentlemen, 1041 pages. The muse of the hon. Bart. has, indeed, been prolific,—it has even produced more than that of the celebrated Arabian novelist: the latter has only 1001 tales; the hon. Bart. has 1041, which, if they be not so amusing as those of the Arabian, are still equally founded on fiction and imagination. The title-page of this collection of tales informs me, that the motion for the printing of them was granted in June 1824. We have now arrived at January 1826; so that, after a miraculous gestation of somewhat more than eighteen months, the mountain has been delivered—not of a mouse, indeed—but of a young monster of a mountain, so large and unwieldy that it required the obstetric aid of twenty-four doctors, of whom some became its sponsors, when it would have been more charitable to have destroyed it in its birth, than to allow it to grow into existence and to stalk abroad, to the shame and ridicule of its parents and creators. The first 750 pages of this volume, I will undertake to say, have no more to do with the motion of June 1824, than they have with the golden feet of the Burmese empire. They are a history of refractory Zameendars; a second edition of the dissensions at Hyderabad; an account of the steps by which Residents proceed to an usurpation of power over the Native Princes in the first instance, and then to a rebellion against the power which appoints them in the second. The discrepancy between the statement of the hon. Director and that of the noble Marquis might be owing to a defect of memory, or to various other reasons; but whatever may have been the cause of it, I am prepared to prove that the statement of the noble Marquis is right, and that there is no foundation whatever for the statement of the hon. Director. And on what authority does the Court think that I intend to make good this assertion? Why, I will prove it on the authority of this very book. In order to obtain an opportunity to do so, and to prevent myself from exhausting the attention of the Court too much at present, I now give notice that I shall, before long, send to you, Sir, a requisition, regularly signed, calling upon you to convene a Court, to take into consideration what I shall denominated the Oude Papers. I have nothing further to say at present, unless the hon. Director thinks fit to tell me what time will be most convenient to him for the discussion of them. I wish to study his convenience as far as I can, and to observe that delicacy towards him in all future proceedings, which I have endeavoured to observe in the past.

Colonel BAILLE gave no reply, and the subject dropped.

#### INSTRUCTION IN THE HINDOSTANEE LANGUAGE.

The CHAIRMAN then put the question that this Court do now adjourn.

Mr. HUME. Till what period? There is a motion of mine still undiscussed on the paper, of which I gave notice a considerable time ago. It relates to the instruction of the officers of your army in the Hindostanee language, previous to their departure for India. It is, therefore, a motion of great importance, and ought to be fairly and fully discussed. May I therefore ask to what time it is proposed to adjourn the Court?

The CHAIRMAN.—I would propose, in general terms, that the Court adjourn. Your motion can be fairly discussed at the next general meeting of the Court, if an earlier day should not be fixed in the interim.

Mr. HUME.—It is to prevent the lapse of time, that I wish a day to be now

appointed, to which we may adjourn. It is important, as I think that the question should be immediately settled.

The CHAIRMAN.—If Mr. Hume is not inclined to let the question stand over to the next Court, to what day would he wish us to adjourn?

Mr. HUME.—This day week, or this day fortnight, or any day previously to the 2d of February, would equally suit my convenience. Adjourn to this day week or fortnight.

The CHAIRMAN.—The hon. Proprietor will no doubt perceive the reason why I wish to adjourn generally. There is this inconvenience in adjourning a Quarterly Court, that it gives any discontented person an opportunity of bringing forward any supposed grievance, without any previous notice,—a privilege which he does not enjoy at a Special Court. I should, for my own part, be better pleased if this General Court were now to adjourn, and we were to meet specially for the discussion of Mr. Hume's motion.

Mr. HUME.—I just wish to call the attention of the Court to the situation in which we are now placed. The Company is at present about to send out to India three or four hundred young men, as officers, to command their army in that country. Now, I think that it would prove conducive to the honour of the Company, and to the benefit of the young men, and of all connected with them, if they were rendered capable of carrying on a communication with their troops and the Natives by themselves, and without the aid of interpreters. You may differ with me as to the mode in which this instruction is to be given; you may have one way to propose, and I may have another—but, on the principle of the thing, I think that there can be no doubt or difference between us. I agree with you, Sir, that a General Court gives a greater latitude of proposing questions for discussion than a Special Court; but I think that the experience of this day's proceedings is sufficient to show that no gentleman is inclined to take undue advantage of that latitude. I could wish to be heard on the subject of which I have given notice. After you have heard my proposition, you will treat it as in your wisdom you may think best.

The CHAIRMAN.—I still wish that the hon. Proprietor would allow this General Quarterly Court to adjourn. It would take away from any Proprietor the right of finding fault at our next meeting, without giving us any notice of his intention.

A DIRECTOR.—Cannot the hon. Proprietor allow this Court to adjourn, and then call upon the Directors to fix an early day for the discussion of his motion? It can do no injury to the object he has in view.

Mr. RANDLE JACKSON.—Cannot such a day be fixed now?

The CHAIRMAN replied in the negative.

Mr. HUME.—Would it not save much time if we fixed the day now?

A DIRECTOR.—If we fix the day now, it makes our meeting on that day a meeting of a General Court, which is of course liable to the objection which Mr. Hume sees. Mr. Hume can send in a requisition to the Chairman this evening, calling for a Court on the subject he has mentioned, and can then request an early day for the discussion of it.

Mr. HUME.—I am not inclined to give either myself or the Directors so much trouble. What inconvenience has there arisen from to-day's Court, which would not have equally arisen from a Special Court? If we are to decide about the time to which we are to adjourn from the importance of our discussions, can any question be more important, or require a more early discussion, than whether we shall send out the officers of our army to India duly qualified or not? If I do not substantiate my motion, the propriety, expediency, and necessity of instructing our officers in the Hindostanee language beyond the shadow of a doubt, I shall indeed be very much mistaken.

Mr. R. JACKSON.—I doubt very much whether we can at present adjourn *sine die*. The orders of the day are not yet finished, and whilst one remains upon the paper, I believe that we must adjourn to a special day.

The CHAIRMAN then proposed, that the Court do adjourn till Wednesday, the 1st of February. The question was carried; but almost at the same moment a paper was placed in his hand. The Chairman looked at it, and then requested that the hon. Proprietors would just stay one moment. A com-

munication had been put into his hands, which he would read to them. The hon. Gentleman then read the following requisition :

"We, the undersigned Proprietors of East India stock, duly qualified, request that you will be pleased to call a General Court, upon an early convenient day, for the purpose of taking into consideration the Oude Papers, published by the vote of the General Court of Proprietors.

DOUGLAS KINNAIRD.

C. J. DOYLE.

WILLIAM MAXFIELD.

JOHN BORTHWICK GILCHRIST.

JOSEPH HUME.

WILLIAM THORNTON.

JAMES PATERSON.

JOHN DOYLE.

J. ADDINELL.

The CHAIRMAN said, that as by Act of Parliament, the Court must be called within ten days from the receipt of the requisition, he should appoint that day week for the discussion of the Oude Papers.

The DEPUTY-CHAIRMAN observed, that if that requisition had been handed in sooner, it would have saved all the discussion which they had just had about the adjournment of a General Court. Would it not be as well that the discussion of Mr. Hume's motion should be taken on the day which was appointed for the discussion of the Oude Papers ?

Mr. HUME said that he had no objection to agree to such a proposition.

The Court then adjourned till Wednesday the 25th instant.

*Wednesday, January 25.*

[Owing to the late period at which the Court was held, and the press of other matter, we are unable to insert more than the following sketch of the discussion in the present Number; but a full report will be given in our next.]

This day a General Court of Proprietors was held pursuant to adjournment, when the usual routine business having been gone through,

Colonel LEICESTER STANHOPE ROSE, and inquired of the Chairman, whether the Marquis of Hastings, or Marquis Wellesley, had been nominated to the Government of India, or whether Lord Amherst had been recalled ?

The gallant Colonel was frequently interrupted during the delivery of a few remarks he made on the subject by calls to order. He was answered by

The CHAIRMAN, (C. Majoribanks, Esq.) that the Court of Directors had not proposed either of the individuals named by him, to be appointed to that high honour, nor had they, or either of them, been proposed to the Court. He added, that there was no question at present in agitation, which had for its object the removal of Lord Amherst from the British Government in India, and his Lordship was not removed.

The SECRETARY was about to read the requisition for making the Court special, for the purpose of considering the question of the Oude Papers, but in consequence of the absence of Sir John Doyle, from illness, the discussion was agreed to be postponed, and the motion was adjourned to Wednesday the 8th of February next.

The CHAIRMAN then informed the Court, that it was made special for the purpose of taking into consideration the following proposition :

"That this Court considering the great importance of a knowledge of the Hindostanee language to European officers, destined to act with, and command, the Native troops in India, recommend to the Court of Directors, to take into consideration the propriety of making regulations, in consistency with their own resolutions, that no Cadet shall henceforth be permitted to proceed to India, unless he shall, upon examination, be found sufficiently grounded in the rudiments of the Hindostanee language."

Mr. HUME, in a speech of considerable length, pointed out the paramount importance to the Company, and to the country, of obliging all who belonged to the service in India to be duly qualified with a knowledge of the language of the country in which they were destined to act. It was surprising that the Company had not before now placed their military officers in the same situa-



tion in which they had placed their civil servants. There was scarcely one part of an officer's duty in India that could be performed without a knowledge of the Native language. The hon. Proprietor here adverted to the despatch of Lord Minto in 1808, in which his Lordship said, the ignorance of the language on the part of the civil officers in India unavoidably subjected them to an almost unlimited dependence on the Natives; the consequences of which were, loss of character; distress and ruin to those who were thus delivered to the power of men they ought to direct. The hon. Proprietor observed, that the Burmese war had arisen entirely out of a misunderstanding, originating from a want of a competent knowledge of the Hindostanee language. After stating other mischiefs resulting from the present imperfect system of education, Mr. Hume concluded by moving a resolution in conformity with the terms of the requisition.

The motion was seconded by Dr. GILCHRIST.

Sir JOHN SEWELL opposed the motion, on the ground that the only place to acquire a competent knowledge of a language was the country where it was spoken.

Colonel LUSHINGTON earnestly concurred in the motion, as far as the principle went, that great importance must be attached to the knowledge of the language by those who were engaged in the Company's service; but he was decidedly adverse to shut out the Cadets from going to India, and should therefore oppose the motion.

Colonel LEICESTER STANHOPE spoke in favour of the motion.

Mr. R. JACKSON suggested, that the subject should be left to the Court of Directors, and the motion amended in that respect.

Mr. S. DIXON opposed the motion.

Captain MAXFIELD spoke in favour of the motion, and observed, that the late Surveyor-General in India was totally ignorant of any of the Eastern languages.

Sir C. FORBES also supported the motion.

Sir P. LAURIE hoped Mr. Hume would withdraw his motion, and leave the subject entirely to the Court of Directors.

The DEPUTY-CHAIRMAN (Sir G. Robinson) concurred in the sentiments of the last speaker.

Mr. WEEDING opposed the motion.

Mr. HUME replied. After which the CHAIRMAN put the question, which was negative without a division.

Mr. HUME then moved for certain papers connected with the same subject, which were not granted. The hon. Proprietor, in moving for an account of the money expended by the Company, took occasion to remark, that he understood, since he came into Court, that the debates in the 'Asiatic Journal' were printed at the expense of the Court; and that the reporters belonging to it were paid out of the pockets of the Proprietors, but that he could scarcely believe such a calumny.

The Court adjourned at half-past 5 o'clock.

## CIVIL AND MILITARY INTELLIGENCE.

### CALCUTTA.

#### CIVIL APPOINTMENTS.

June 30. Mr. C. G. Udny, an Assist. in the office of the Register to the Courts of Sudder Dewanny Adawlut and Nizamut Adawlut; Mr. Henry Pidecock, Assist. to the Magistrate and to the Collector of the District of Moradabad; Mr. F. H. Robinson, Assist. to the Magistrate and to the Collector of the District of Barreilly.—July 28. Mr. H. S. Laue, Assist. to the Commercial Resident at Cossimbar; Mr. C. T. Sealy, a Puisne Judge of the Court of Sudder Dewanny Adawlut and Nizamut Adawlut; Mr. G. C. Master, First Judge of the Provincial Courts of Appeal and Circuit for the Division of Calcutta; Mr. B. B. Bhow, 2d Judge of do. do. of Dacca.

EAST INDIA COMPANY'S ARMY.

BENGAL.

MILITARY APPOINTMENTS.

*Head Quarter, Calcutta.*—July 2. Lieut. F. Angelo, 7th L. C. to be Adj. v. Hunter, rem. to the 1st extra regt.; Lieut. Bradford to act as do. to the 1st L. C. during the absence of Lieut. Thorntou on duty at Cawnpore.—6. Capt. Crichton, lately rem. from the 31st to the 30th regt. to proceed to Dinapore and take charge of the det. of the 30th regt. and of the recruits now under charge of Capt. Heptinstall, who will proceed to join the 31st regt. to which he now belongs; Capt. G. Bell, of the 62th N. I. to act as Major of Brigade to the station of Barackpore, temp. arrang.—8. Capt. McCleod, of the corps of Engineers, to be Superint. of Nizamut Buildings at Moorshedabad, v. Buxton, dec.; Capt. Shuldham, 30th N. I. to be a Deputy Assist. Adj.-Gen., and is appointed to the Eastern division, v. Frye, appointed to the command of the 12th extra regt.; Major F. Walker, 65th N. I. to the com. of the 12th or Rampoorah Local Batt. v. Hamilton, prom. to a Lieut.-Coloneley; Lieut. G. Grose is transferred to the Pension Establ.; Capt. Bayldon, Dep. Assist. Adj. Gen., will proceed to Benares, to which division he is posted; Capt. Campbell is rem. from Nusseerabad, and appointed to the Agra Frontier; and Lieut. G. C. Smyth, of the 3d L. Cav., is appointed to act as Major of Brigade at Nusseerabad; Brevet-Capt. W. Ramsey, 41st N. I. to be Fort Adjutant of Dehly, v. Anderson, appointed a Brigade-Major; Lieut. A. Arabin, 7th N. I. going with his regt. on service, is directed to rejoin the Pioneers; Lieut. G. S. Lawrenson, of the Artillery, to act as Adj. to the detach.; Lieut. Fraser to act as Interp. and Quarterm. to the 1st L. Cav., temp. arrang.; Brevet-Capt. Mayer, 19th N. I. to act as Major of Brigade to the Light Brigade which was formed with the South-East Division.—11. Capt. G. O. Clarkson, 42d N. I. to act as Dep. Assist. Adj.-General to the Benares division, v. Capt. Frye, nom. to the command of the 12th extra regt.; Lieut. Thomson, of the Horse Brig. to act as Adj. to the det. of Bengal Horse Artillery and Rocket Troop serving in Ava.—12. Lieut. E. M. Blair, 5th L. Cav. to be Interp. and Quarterm. v. Brevet-Capt. Burges, prom.; Lieut. S. O. Hunter, 1st extra regt. L. Cav. to be Adjutant; Lieut. T. Skipton, 2d extra regt. L. Cav. to be Interpreter and Quarterm.; Lieut. W. Hunter, 15th N. I. to be do. do., v. Thomas, appointed to the Stud depart.; Lieut. T. E. Sampson, 22d N. I., to be Adjut. v. Brevet-Capt. Chalmers, prom.; Lieut. G. M. S. Robe, 27th N. I. to be do. v. Colebrook, rem. to the 26th regt.; Lieut. W. Grant, 27th N. I. to be Interp. and Quarterm. v. Brevet-Capt. Johnstone, prom.; Lieut. W. Rutherford, 28th N. I. to be Adjutant; Lieut. Deare, 69th N. I. to act as Adjutant to the 5th extra regt.; Cornet J. McKenzie to act as Quarterm. to the 8th L. Cav.; Lieut. Nash to act as Adjutant to the 4th L. Cav.; Capt. Pogson, 69th N. I. to be Dep. Assist. Adj.-Gen. v. Shower, prom. to a regtal. Majority; Lieut. G. C. Smyth, 3d L. Cav. to be Brigade-Major; Lieut. H. Tod, 21st N. I. to be Examiner in the College of Fort William.—13. Lieut. Smith to act as Adjut. to the 28th regt. N. I. in the room of Lieut. May, rem. to the 4th extra regt.; Lieut. Oldfield to act as Interp. and Quarterm. to the 5th L. Cav.—14. Lieut. G. Watt, 6th L. Cav. to be Adjutant; Lieut. J. Mackenzie, 8th L. Cav. to be Interp. and Quarterm.; Lieut. J. Butler, 3d N. I. to be Adjut.; Lieut. G. H. Edwardes, 3d N. I. to be Adjutant; Lieut. W. Briggs, 20th N. I. to be Interp. and Quartermaster. Lieut. R. W. Beatson, 4th extra regt. N. I. to be Adjutant and Quartermaster.

July 15. Lieut. McDonald, of the Bengal Artillery, to officiate as Adjutant to the details of Artillery at Rangoon; Lieut. H. Mackintosh, 43d N. I. to be Adjutant; Lieut. J. Woodburn, 44th N. I. to be do.; Lieut. J. Jones, 46th N. I. to be do.; Lieut. W. Fraser, do. to be Interp. and Quarterm.; Lieut. E. M. Orr, 58th N. I. to be do. do.; Brevet Capt. J. Tomlinson, 61st N. I., to be Adjutant; Lieut. R. Garrett, 1st extra regt. N. I. to be Interp. and Quarterm.; Lieut. G. M. Home, 2d extra regt. N. I. to be Adjutant; Brevet-Capt. T. Williams, do. to be Interpreter and Quarterm.; Lieut. R. McCulloch, 3d extra regt. N. I. to be Adjutant; Brevet-Capt. J. S. Marshall, do. to be Interp. and

Quarterm. ; Lieut. J. F. May, 4th extra regt. N. I. to be Adjutant; Brevet-Capt. N. Stewart, do. to be Interp. and Quarterm. ; Lieut. J. Oliver, 5th extra regt. N. I. to be Adjutant; Lieut. N. J. Cumberlege, 6th extra regt. N. I. to be Adjutant; Lieut. A. Farquharson, do. to be Interp. and Quarterm. ; Capt. G. W. A. Lloyd, 3d extra regt. N. I. to be Commandant of the Dinagepore Local Battalion ; Lieut. W. M. Ramsay, 62d N. I. to be Adjutant ; Lieut. S. Twemlow, 68th N. I. to be Adjutant of the Saharunpore Provincial Battalion ; Lieut. G. Irvine, 33d N. I. Adj. Bundelcund Provincial Batt. to be do. of the Kemaon Local Batt. ; Lieut. Hunter to act as Interp. and Quarterm. to the 15th N. I. ; Major Gramshaw will relieve Lieut.-Col. Biggs from the command of the Artillery in the Western Div. ; Capt. Smith will rejoin his Company, delivering over the command of the Artillery at Sylhet to Lieut. Jackson.—July 8. Ensign W. H. Campbell is permitted, at his own request, to resign the service of the Honourable Company.

## PROMOTIONS.

*Fort William, July 8, 1825.*—The Right Honourable the Governor-General in Council is pleased to make the following Promotions :

*Corps of Engineers.* Lieut. J. F. Paton to be Captain, v. Smyth, retired.

*Infantry.* Senior Lieut.-Col. P. Byres to be Lieut.-Colonel-Commandant ; Senior Major G. D. Heathcote to be Lieut.-Colonel.

*1st Extra Regt. N. I.* Capt. G. Williamson to be Major ; Brevet-Capt. and Lieut. J. M. Sim to be Capt. of a company ; Ensign F. E. Smith to be Lieut.

*16th Regt. N. I.* Ensign J. M. McGregor to be Lieutenant, v. Heaver, transferred to the Invalid Establishment.

*28th Regt. N. I.* Capt. S. Swinhoe to be Major ; Lieut. C. D. Wilkinson to be Capt. of a company ; Ensign J. Powell to be Lieut.

*32d Regt. N. I.* Ensign A. R. Swinton to be Lieut.

*34th Regt. N. I.* Ensign A. Fisher to be Lieut. ; Lieut. G. H. Robinson to be Capt. of a company ; Ensign W. C. Carter to be Lieut. ; Lieut. J. T. Croft to be Capt. of a company, v. Bayley, transferred to the Pension Estab.

*36th Regt. N. I.* Ensign J. Lang to be Lieut.

*42d Regt. N. I.* Ensign C. Hutchinson to be Lieut.

*54th Regt. N. I.* Lieut. J. Ker to be Capt. of a company ; Ensign A. Learmouth to be Lieutenant.

## MEDICAL APPOINTMENTS.

*Head Quarters, Calcutta, July 2.*—Assist. Surg. B. Bell to the Med. charge of the 62d regt., and directed to join it immediately at Arracan.—8. Assistant Surg. W. W. Hewett to be 2d Assist. Garr. Surgeon, vice Shaw ; Assist. Surg. R. Shaw to perform the Med. duties of the Civil Station of Shahabad, vice Simms.—11. Assist. Surg. Birmingham to do duty with the 2d Grenadier Batt. ; Assist. Surg. Harrison, and Offic. Assist. Surg. H. Donaldson, are to proceed to Arracan, and to place themselves under the orders of the Superint. Surgeon of the South-Eastern Division ; Assist. Surg. Clemishaw is directed to join the Detachment of Europeans under orders for the Upper Provinces ; Assist. Surg. Guthrie, 59th N. I., to repair to Allahabad, and place himself under the orders of Lieut.-General Marley.—12. Mr. W. Stevenson is admitted to the Service as an Assistant Surgeon.

## MEDICAL REMOVALS AND POSTINGS.

*Head Quarters, Calcutta, July 5.*—Assist. Surg. Toke is posted to the 11th extra regt. at Ghazepore ; Assist. Surg. Stenhouse is posted to the 4th extra regt.—11. Surgeon E. Muston is removed from the 2d Grenadier Batt. to the 42d N. I.

## FURLONGHS.

*Fort William, July 8.*—Capt. H. Davidson, 30th N. I., to Penang, Malacca, and Singapore, for twelve months ; Lieut. R. P. Fulcher, 67th N. I., to Europe for health ; Lieut. J. Whiteford, 65th N. I., to Singapore and China.—11. Ensign J. Lang, 30th N. I., to Europe for health ; Lieut.-Col. Commit. D. McLeod, C. B., to 15th January 1826, preparatory to application for Furlough to Europe.—15. Capt. H. G. Maxfield, 43d N. I., to Europe for health.

## BIRTHS, MARRIAGES, AND DEATHS.

## CALCUTTA.

*Births.*—June 27th. The lady of Mr. J. Vaughan, of a son.—July 14th. At Barrackpore, the lady of T. A. Shaw, Esq., C. S., of do.—17th. Mrs. J. Wood, of a son; The lady of P. Strong, Esq., of a daughter.—20th. The lady of Captain Davidson, of a son.—21st. The lady of Mr. F. Picard, of do.—22d. The lady of Capt. J. J. Denham, late of the Ship *Hasbany*, of do.—23rd, at Entally, Mrs. G. Jessop, of do.—24th. Mrs. S. Smith, of a daughter; Mrs. S. P. Singer, of do.—28th, the lady of Mr. W. K. Ord, of do.—30th. Mr. J. A. Oliver, of do.—August 3d. Mrs. M. Portner, of do.; the lady of Capt. W. Bruce, Bombay Marine, of a daughter.

*Marriages.*—July 14th. George Dawson, Esq., Royal Navy, to Mariamne, relict of the late Captain Kinsey.—Capt. J. R. Stock, of the 6th Extra Regiment N. I. to Miss Susan Chubbott.—Aug. 1st. R. Eglinton, Esq., to Margaret Dun, fourth daughter of R. Law, Esq.; R. Shaw, Esq., Bengal Med. Staff, to Laura, widow of the late Lieut. Darby.

*Deaths.*—June 28th. The infant daughter of Lieut. G. S. Lawrenson.—July 7th. Lieut. S. Twemlow, 68th N. I., aged 23.—20th. J. Dick, Esq., C. S., aged 28.—21st. Ensign H. Hemsworth Usher, H. M. 41th Regt.; George Proctor, Esq., Sec. to the Med. Board, aged 45.—28th. Off. Calcutta, on board the Ship *Lady Campbell*, Mr. James H. Maud, Midshipman, aged 17.—Aug. 4th. Capt. J. Madigan, H. M. 46th Regt. aged 39.

## OUT STATIONS.

*Births.*—June 6th, at Kamptee, the lady of Lieut. J. S. Impey, Postmaster to the Nagpore Subsid. Force, of a son.—13th, at Sultanpore, Oude, the lady of W. S. Charters, Esq., M.D., 2d N. I., of a daughter.—17th, at Secunderabad, the lady of John Campbell, Esq., M.D. H.M., 30th. Regt. of do.—22d, at Nagpore, the lady of Lieut. Stack, 3d Bombay L. Cav, of a son.—25th, at Nellore, the lady of E. Smalley, Esq., of a daughter.—July 8th, at Dinapore, the lady of Capt. R. S. Phillips, 67th N. I., of a son.—16th, at Banda, the lady of A. W. Begbie, Esq., C. S. of a daughter.—26th, at Patna, the lady of Major Lockett, Dep. Sec. to Gov. of do.

*Marriages.*—July 4th, at Midnapore, J. J. Harvey, Esq., C. S. to Elizabeth E. eldest daughter of W. Wiggins, Esq.—6th, at Patna, Mr. G. M. Francis, third son of Lieut. Col. R. Francis, to Mary eldest daughter of T. Jahowin, Esq., merchant, of Calcutta.—7th, at Lucknow, Lieut. F. W. Birch, of the 41st N. I., to Jean, only daughter of the late John Walker, Esq., of the Bengal Civil Service.—12th, at Saharunpore, Lieut. H. Debude, of the Engin., to Jane Ann, second daughter of the late Capt. W. H. Royle.

*Deaths.*—April 1st. At Pan Lang, Capt. P. Forbes, H.M. 47th Regt.—In April, on board the H. C. S. *Rose*, on his way to the Cape, John Shakespeare, Esq. C. S.—May 15th. At Rangoon, Lieut. Ed. Codd, H.M. 47th Regt.—June 1st. On board the ship *Charles Grant*, John Hay, Esq. 2d officer.—2d. At Kamptee, near Nagpore, the infant daughter of Capt. W. N. Pace, of the 25th N.I.—7th. At Arcot, Lieut. G. Cheape, of the 1st L. Cav. 9th. At Rangoon, on board the H. C.'s ship *Investigator*, Lieut. T. Mulholl, of the H. C.'s. Bombay Marine, aged 20 years.—15th. At Rammad, the infant son of Major Campbell; at Balaum, Ann, wife of D. Henderson, Esq. Cantonment Surgeon, and third daugh. of C. Hay, Esq. of Balendoch, Perthshire; at Woon, Georgiana, daugh. of Capt. Isacke, Assist. Resident at Nagpore.—17th. On the Arracan river, J. Cochrane, Esq. M.D. Assist. Surgeon on the Madras Estab.—21st. At Arracan, Assist. Surgeon W. H. N. Chisholm, of the 42d N. I. Bengal Estab.—25th. At Arracan, Mr. F. Dissent, aged 21.—29th. At Monghyr, the infant son of J. W. Tenpler, Esq. C. S.; 30th. At Masulipatam, J. H. Jones, Esq. Superint. Surg. of the North. Div. of the Army.—July 2d (and 5th.) At Arracan, Mr. W. S. Beggle, and Mr.

Kerr, both in charge of the brig Col. Young.—2d. At Dacca, the infant son of G. C. Weguelin, Esq.—4th. At Berhampore, the infant son of Capt. F. Buckley.—5th. At Arracan, Lieut. C. Armstrong, Bombay Marine.—10th. At Benares, Lieut. Col. J. H. O'Brien, of the Bengal Cavalry.—14th. At Arracan, Lieut. C. Hutchinson, 42d N. I.—15th. At Misingunge, the infant son of Lieut. and Adj. Holmes, 7th N. I.; at Kumbhal, the infant son of Capt. J. D. Parsons, Ass. Com. Gen.; at Meerut, Maj. Gen. Sir D. Ochterlony, Bart. G.C.B., Resident in Malwa and Rajpootana, and commanding the western division of the Bengal Army.—21st. At Gusserah, the youngest daughter of M. B. Barber.—24th. At Berhampore, the infant daughter of the Rev. H. R. Shepherd, District Chaplain.

## IN EUROPE.

*Births*.—Dec. 7. At Cleasby, York, the lady of Capt. Wray, late of the Bengal Estab. of a son.—12th. The lady of G. Owen, Esq., of the East India House, of a son.—18th. At Eltham, the lady of Capt. I. N. Abdy, Madras Artil., of a daughter.

*Marriages*.—Dec. 12th. At Paris, E. T. Downes, Esq. H. C. Med. Serv. to Clara Frances, daughter of the Rev. E. Forster, Chap. to the British Embassy.—13th. At Edinburgh, Lieut. F. Grove, R. N. to Emily, only daughter of the late G. Ure, Esq. of the Bengal Med. Estab.—15th. At Paris, G. W. Lefevre, Esq. M.D. to Frederica C., daughter of Col. Ch. Fraser, H.C.S.—17th. Col. G. Pennington, H. C. Hor. Art. to Jane, second daughter of J. P. Grant, Esq. M.P. of Rothiemurchus.—21st. At St. Pancras, Lieut. J. Gordon, R.N. to Eliz., relict of A. Humphreys, Esq. late of Bombay.—Jan. 10. At Clapham Church, Maj. G. Arnold, of 2d Bengal Lt. Cav. to Ann Matilda, daughter of the late H. Brown, Esq. Madras C. S.

*Deaths*.—Dec. 1. At Southampton, Capt. E. Bird, late of the H. C. S.—7th. Alexander, youngest son of the late J. T. Roberts, of the H. C. S.—20th. At Canterbury, T. Dashwood, Esq. of the Bengal C. S.—28th. At Camberwell, Elizabeth, wife of W. P. D. Hart, of the E. I. House.

## COMMERCIAL INTELLIGENCE.

## CALCUTTA.—AUGUST 5, 1825.

## Government Securities, &amp;c.

Buy.]	Rs. As.				Rs. As.	[Sell.
Premium	27	0	Remittable Loan 6 per cent.	26	0	Premium
Discount	2	12	5 per Cent. Loan of 1822-23	3	12	Discount
Ditto	2	8	4 per Cent. Loan of 1824-25	3	8	Ditto.

## RATES OF EXCHANGE.

On London, 6 months sight, 2s. 0d. a 2s. 1d. per S. R.  
 Madras, 30 days 94 a 98 S. R. per 100 Madras Rupees.  
 Bombay, Ditto 98 . . . S. R. per 100 Bombay ditto.

## BANK OF BENGAL RATES.

Discount on Private Bills	Sa. Rs. 8	0
Do. of Government Ditto	7	0
Ditto of Salary Ditto	7	0

## PRICE OF BULLION.

Spanish Dollars	209	8	a	210	0	per 100
Silver 5 Francs	194	0	a	194	8	per 100
Doublons	32	0	a	32	6	each.
Joos, or Pezas	17	8	a	18	0	—
Sovereigns	10	1	a	10	4	—
Bank of England Notes	10	8	a	11	0	—
Louis d'Ors	8	0	a	8	8	—
Dutch Ducats	4	0	a	4	12	—
Star Pagodas	3	7	a	3	8	—
Guineas	10	8	a	10	10	—

## SHIPPING INTELLIGENCE.

## ARRIVALS FROM EASTERN PORTS.

Date.	Port of Arrival.	Ship's Name.	Commander.	Place of Depart.	Date.
1826.					
Jan. 2	Off Dover	Asia	Stead	Bengal	Aug. 14
Jan. 2	Cowes	Ad. Cockburn	Coling	Batavia	Aug. 15
Jan. 3	Downs	Palmyra	Lamb	Bengal	July 18
Jan. 4	Cowes	Indus	Moriartiz	Sumatra	Sept. 3
Jan. 5	Plymouth	Maria	Moffat	Batavia	July 25
Jan. 17	Liverpool	Crown	Pindar	Bengal	Aug. 25
Jan. 17	Falmouth	Heighington	Wilson	Penang	Aug. 21
Jan. 19	Cowes	Tiger	Kent	Bengal	Sept. 17
Jan. 19	Isle of Wight	Hugh Crawford	Langdon	Singapore	June 11
Jan. 20	Cowes	Sir Chris. Scott	—	Batavia	Sept. 15
Jan. 20	Off Dover	Eleanor	Stott	Cape	Nov. 3
Jan. 21	Liverpool	Bengal	Macleod	Bengal	Aug. 23
Jan. 21	Portsmouth	Hercules	Vaughan	Batavia	Sept. 20
Jan. 21	Portsmouth	Industry	Balring	Batavia	—
Jan. 23	Portsmouth	Boyre	Lawson	Calcutta	Aug. 5
Jan. 23	Portsmouth	May	Steel	Singapore	—
Jan. 23	Weymouth	Lord Amherst	Lucas	Bengal	July 18
Jan. 24	Greenock	Anity	Johnston	Bombay	July 25
Jan. 24	Off Falmouth	Keiswell	Armstrong	Cape	Nov. 17

## ARRIVALS IN EASTERN PORTS.

Date.	Port of Arrival.	Ship's Name.	Commander.	Port of Depart.
1825.				
June 26	Penang	Malvina	Phillips	London
Aug. 16	Madras	Pt. Charlotte of W.	Biden	London
Aug. 18	Bengal	Indian	Shannon	Liverpool
Aug. 23	Batavia	Batavia	Blair	London
Aug. 27	Madras	John	Poppellwell	London
Aug. 30	Madras	Lady Flora	Macdonnell	London
Sept. 2	Madras	Eliza	Sutton	London
Sept. 2	Madras	Royal George	Reynolds	London
Sept. 3	Bengal	Atlas	Hunt	Madras & Lond.
Sept. 4	Bengal	Minerva	Tracy	London
Sept. 4	Bengal	Warren Hastings	Maon	London
Sept. 5	Madras	Gulldford	Johnstone	London
Sept. 7	Batavia	Wilhemina	Tongerson	London
Sept. 13	Madras	Woodford	Chapman	London
Sept. 17	Anjier	Duke of York	Luke	London
Nov. 4	Cape	Elphinstone	Macleod	London
Nov. 6	Cape	Wellington	Evans	London
Nov. 13	Cape	Toward Castle	Smith	London
Nov. 21	Cape	Oscar	Stewart	London
Nov. 22	St. Helena	Bengal	Macleod	Liverpool

## DEPARTURES FROM EUROPE.

Date.	Port of Depart.	Ship's Name.	Commander.	Destination.
1825.				
Dec. 23	Greenock	Fortune	Moore	Bombay
1826.				
Jan. 2	Deal	Coventry	Pudie	Cape
Jan. 11	Deal	Edinburgh	Baxter	Bombay and China
Jan. 13	Deal	Abercrombie } Robinson }	Funes	Bombay and China
Jan. 15	Liverpool	Norval	Conbro	Cape and Bengal
Jan. 19	Deal	Berwickshire	Shepherd	Bengal and China
Jan. 19	Deal	Ganges	Lloyd	Madras and Bengal
Jan. 19	Deal	New Times	Clarke	St. Helena
Jan. 20	Isle of Wight	Lord Lowther	Steward	St. Hel. Bom. & Ch.
Jan. 21	Falmouth	Emulous (St. V.)	Williams	Ceylon and Bengal
Jan. 23	Isle of Wight	Thames	Havside	Bengal and China

## SHIPS SPOKEN WITH AT SEA.

Date	Lat and Long.	Ship's Name.	Commander.	P of Depart.	Destination
1825.					
Aug. 15	37 S. 14 30 E.	Britannia ..	Bonchier	London ..	Bombay
Sept. 2	31 S. 51 E.	M. Wellington	Blanchard	London ..	Bengal
Sept. 5	18 22 S. 51 51 E.	Jas. Sibbald	Forbes ..	London ..	Bombay
Oct. 20	33 S. 15 30 E.	Romulus ..	———	London ..	Batavia .. New York
Oct. 25	34 30 S. 25 E.	Enterprize (St.)	Johnstone	London ..	Bengal
		(Steaming against fresh S.E. wind and heavy sea.)			
Nov. 14	4 20 N. 22 35 W.	John ..	Freeman ..	London ..	Mauritius
Nov. 18	12 S. 31 W.	Roscoe ..	Morrison	Liverpool	Bombay
Nov. 18	4 W.	Orient ..	White ..	London ..	China
Dec. 6	6 N. 22 10 W.	Falcon (St P.)	Moore ..	London ..	Bengal
Dec. 31	45 29 N. 9 23 W.	Fortune ..	———	Greenock	Bombay

## GENERAL LIST OF PASSENGERS.

## PASSENGERS OUTWARD.

By the *Abercrombie Robinson*, for Bombay and China.—Mrs. Macleod; Miss Elliot; Misses Ironside, Capt Bishop and Coinets Henderson, Harvey, and Grumbleton, H. M. 4th Light Dragoons; Ens. Hesse and Lloyd, H. M. 2d Foot; Ens. Rouse, H. M. 20th Foot; Mr. Hughes, Cadet; Mr. B. Rowland, free mariner; Messrs. Young and Fairbairn, Volunteers for the Bombay Marine.

By the *Georgiana*, for Madras, Captain Haylett W. Ashton, Esq., Madras C.S.; Mrs. Ashton, Messrs. Arbuthnot, free merchants; Captain Smith, 54th regt.; Mrs. Smith, Captain O'Meara, 15th regt.; Miss Moore; W. Maxwell, Esq., M.D.; W. Spens, Esq., M.D.; Messrs. Burley, Dunlop, Reynolds, Fyfe, Buckley, Abbott, Fortier, Ironside, Robley, and Messrs. Kings, Cadets.

By the *Berwickshire*, Captain Shepherd, for Bengal. Col. M'Donald, Adj.-Gen.; Major Cull; Mrs. Cull; Captain McGeorge, Mrs. McGeorge; Mrs. Massingham; Rev. W. Bunick; Dr. J. Lee and Mr. Biden, Assist. Surgeons; Mr. Napier, for Singapore; Messrs. Cullen, James, Hall, Carlton, Beck, Ramsay, and Scott, Cadets.

## PASSENGERS HOMELWARDS.

By the *Asia*, Stead, from Bengal.—G. R. Paul, C.S.; Capt. Kelly, H. M. 54th Regt.; Mr. W. H. Thomas.

By the *Admiral Cockburn*, from Batavia.—Mr. and Mrs. Shand; Capts. Ellgood and Sergeant, H. M. 55th Regt.

By the *Heighington*, from Penang.—Ens. De La Tang, H. M. 87th Regt.; and Mr. Dixon.

By the *Tiger*, Kent, from Bengal.—Capt. Waterman, and Lieut. Mahne, H. M. 13th Regt.; Lieut. Coote, H. M. 59th Regt.; Lieut. King, H. M. 49th Regt.; — Mayne, Royal Art.; Mr. Wadsworth; Dr. Bell; and Capt. Fisher, from the Cape.

By the *Bengal*, from Bengal to Liverpool.—Mrs. Capt. Lister, and two children; Lieut. Wilson, Artl.; Lieut. M'Donald, 97th Regt.; W. H. Campbell, Cadet.

By the *Lord Anherst*, from Bengal.—M. B. Campbell, Assist. Surg.; Rev. Mr. and Mrs. Sergeant, and Misses and Master Sergeant; Dr. Carrall (died at sea 4th Aug.); Mrs. Carrall; Miss and Master Carrall; Lieut.-Col. Andrews, C.B. from Madras; Lieut. Col. Kelly, H. M. 54th Regt., and Mrs. Kelly; Lieut. J. H. Cramer, 1th Regt. N. L.; Lieuts. Stewart and Hodson, H. M. 45th Regt.; Lieut. Maloney, H. M. 89th Regt.; Dr. Piper, H. M. 45th Regt.; Dr. Barker, Mad. Cav.; Dr. Stewart, J. H. Marshall, Esq.—From the Cape. Miss Spicer, Mr. Havell, Mrs. Havell, Miss Havell, and Ens. Delatang.

By the *Isabella*, Wallis, from Bengal.—Lieut. J. Long H. C. S.

By the *Boque*, Lawson, from Bengal.—Capt. Heatly, Mrs. Heatly, and Miss Heatly; Miss Smith; E. Ashly, Esq.; Arch. Pouton, Esq. died at sea; Mr. Corson, left at Madras.

*Many Articles are postponed for want of room, but will appear in our next.*

# THE ORIENTAL HERALD.

No. 27.—MARCH 1826.—VOL. 8.

## CONTEMPLATED EXTENSION OF BRITISH TERRITORY IN ASIA.

Il y a certaines bornes que la Nature a donnée aux états, pour mortifier l'ambition des hommes. Lorsque les Romains les passèrent, les Parthes les firent presque toujours périr. Quand les Parthes osèrent les passer, ils furent d'abord obligés de revenir. Et, de nos jours, qui ont avancé au delà de ces limites, ont été contraint d'y rentrer.—MONSIEUR GRANDIER ET DECADENCE DES ROMAINS.

THE rulers of India seem to be anxiously throwing out their feelers in all directions, in order to discover whether an annexation of part of the Burman empire to their dominions, should it be found practicable, will meet with the sanction of the British public. First, we find a hint dropped in the 'John Bull' of the East, that "the period has now arrived, when the policy of detaching the old kingdom of Pegue from the empire of the Burmahs might with propriety be discussed." Then it is suggested, that the breaking down of the Burmah power, "by detaching from it Pegue, as well as Assam and Arracan, might likewise occur to many as a measure of policy, dictated by a regard for the English dominions in the East." And from these have arisen cautious discussions in the Indian papers, which, though truth could only be uttered by halves in a soft whisper, will no doubt be stopped in due time, should the Government discover that they are tending to a conclusion unfavourable to its wishes.

In England, the advocate of the India House has followed on the same side, in support of its learned brother in the East. Its argument is, that "if war be sometimes unavoidable in India, increase of territory or political influence *must be equally so*." "When all endeavours to maintain peace are fruitless, and war can be averted only by sacrifices incompatible with our safety, in a country where our footing is *by no means secure*, it behoves the sound politician to extract from the evil as much good as he is able by such a judicious and temperate application of the enemy's forfeited power, as shall strengthen and consolidate our own." Then comes an urgent recommendation, that "if the *despot* of Ava should be humbled by the British arms, no *weak scruples* and *stale* arguments against the increase of our territory in the East should prevail on us to reject the advantages we may *justly*



retain, and which will be highly beneficial to our Eastern possessions, and to the interests of British commerce."

This is all mere assumption and common-place generality, which might evidently be applied equally well to any war or usurpation of territory; to which, consequently, there could be no limit until we had reached universal empire. But let us examine the arguments which are founded on the peculiar circumstances of the case for or against such encroachments upon the Burman dominions. And first, as to the justice or necessity of the war: this, unfortunately, has never been made out in such a manner as to justify the war itself, far less to warrant an appropriation of territory as a punishment to our enemies, or an indemnification for our war expenses. It is too well known, that the Burmesé, so far from being the aggressors, have, on the contrary, suffered innumerable insults and injuries from persons living in our territory and under our protection, sometimes with the express aid and connivance of our Government. Their demand, that these disturbers of the public peace should be surrendered up, or denied our protection, was warranted alike by the law of nations, and the principles acted upon by ourselves in India. When this reasonable request was refused, they would have been quite justified in declaring war against us for fostering their enemies. But they, with more moderation, only threatened to march into our territory, and seize the rebels wherever they could be found; and even this threat they forebore to carry into effect. The only good ground of complaint against them was their foolish claim to the provinces beyond the Ganges; but this claim was treated by Lord Hastings as a forgery, and by them virtually abandoned if ever seriously entertained. Such an idle pretension being thus passed over as unworthy of notice, without some fresh provocation, it could furnish no better ground of war than the quartering of the arms of France with those of Great Britain and Ireland did against this country. Nay, if the Golden-foot had gone so far as stamp himself on the current coin of the realm, King of the White Elephants, Dacca, and Chittagong, we should have given him up to the Company's mercy for his presumption. But, for our own parts, we should have only regarded his vanity with the same contempt, or rather pity, which Bolivar may be supposed to feel when he reads the inscription of the beloved Ferdinand,—“King of Spain and the Indies.” An Amherst or a Paget, however, might think this a sufficient reason for undertaking a crusade against the tottering throne of Castile. But putting such trifling out of view, the present war, arising out of a dispute about a miserable sand-bank, to which our right was more than doubtful, is, on our part, to all intents and purposes, a war of unprovoked and unjustifiable aggression.

Next, as to the policy or expediency of it, our contemporary observes: “It requires no parade of ratiocination to prove that the eastern frontier of Bengal is *naturally* almost defenceless; the fact is apparent enough. At the commencement of the present war, the consternation which prevailed at Calcutta, when a report was raised that the enemy had invaded Chittagong, though groundless, was by no

means absurd; for if the Burmese troops and their commander had possessed sufficient resolution, they might perhaps have approached within a gun-shot of Fort William: the British force in that quarter was comparatively small, and a panic might have seized the sepoys, as at Ramoo." What then?—The capital of British India might have been sacked, and the flower of the European population destroyed and dispersed by an army of barbarians. We agree with the 'Asiatic Journal' that Lord Amherst and his counsellors did expose us to this calamity and disgrace. But might not the same thing happen to England this very month, if the Government were, in like manner, to declare war against a neighbouring power without being prepared to defend our frontiers; that is, our coasts and sea-ports?—What would hinder a small French fleet, knowing there was little or nothing to oppose them, from entering our harbours, bombarding and burning our towns, and carrying off our defenceless merchantmen from their moorings? As Calcutta was alarmed at the rumour of a fleet of Burmese war-boats being in the Sunderbunds, so London might be thrown into consternation by the report, or the *reality*, of a French flotilla in the Thames! But would this prove the insecurity of our eastern frontier, or not rather the incapacity of our rulers? And would the English nation consider it a proof of the justice and policy of the war, and of the wisdom of Ministers, or a ground for demanding the impeachment and punishment of men who had so shamefully betrayed their country into the hands of the enemy? Though so keenly alive to their own interests, the good people of England leave their Indian fellow-subjects to be sacrificed by the folly or caprice of any fawning favourite to whom Ministers choose to hand them over, to gratify his avarice or ambition.

So much for the inference so hastily drawn, that our eastern frontier was "naturally almost defenceless." If by this were meant that after war had been declared this frontier was left almost without defence, the fact is correctly stated; and the just inference from it would be, that the Government indulged in this culpable security on account of this frontier being considered by nature very unassailable. But the assertion that it is naturally indefensible, is not at-all borne out by any thing yet known. On the contrary, the events of the last campaign tend to show that there is not in the world a frontier of the same extent which admits of a more easy defence. Of the three armies directed last year to cut a passage across into the Burmese territory, one, though it met with no troops to oppose its progress, after labouring for months to overcome the natural obstacles, was compelled to give up the attempt as impracticable. Another worked its way into Arracan, but nearly along the sea coast; and the difficulty of the route may be conceived from the fact, that it only got forward about fifty miles in a whole campaign. At the same rate it will still take years more to reach the proper Burmese territory. Besides this route, no other is known directly eastwards from our frontier; none is laid down in the large map lately executed at the Surveyor-General's office in Calcutta; a copy of which has lately reached us from

India. All the irruptions of the Burmese in former times are said to have proceeded by this route along the coast, and across the Naaf river; consequently, in this quarter, there was only one point to be guarded. An adequate force being stationed here, the whole frontier was secured, supposing the worst, against any sudden surprise. As to any formidable invasion from the Burmese, it never could be seriously apprehended; nor, from their caution hitherto, an aggression of any kind.

The Burmese were deterred from invading us, first, by the difficulty of carrying an army across the frontier, which is too well proved to our cost, and which they had also severely experienced in their late irruption into Cachar. Their sufferings on that occasion were so great, that they retired of their own accord into their own territory, in the same manner as our troops have since done, both alike beaten back by no other foe than the miserable country and climate. Should this severe lesson not restrain them from attempting again to pass the natural boundaries of their empire, they might be taught moderation by the chastisement which our naval force always enabled us to inflict with great facility on their sea-port towns and maritime coast. Without incurring the prodigious sacrifice of marching armies into the heart of their empire, we might thus assail them where they were most vulnerable, with little expense to ourselves. If we then granted them peace without wresting from them part of their territory, they would be convinced that though we both possessed the power and the resolution to avenge insult, our real object was to secure peace, and not self-aggrandizement. They would then see that it was their interest to live with us on terms of amity, as our power, no longer employed for purposes of usurpation, was dangerous only to those who chose to make themselves our foes. Jealousy of our strength would then subside into confidence in our justice and forbearance. The intrigues to overthrow us, which are inspired by the fear that our power will be turned to a bad use, would then cease. Like the good people of Lilliput, they would no longer wish to pin down this Gulliver to the earth, when they saw that he might be allowed to walk at large with perfect safety.

But the advocates of the East India Company, who always keep an eye to the "main chance" of increasing their revenues and patronage, maintain that the only true policy is to lose no opportunity, where there is a plausible pretext, of plundering our neighbours. "Self-defence," (says the *'Asiatic Journal,'*) "must render hostilities sometimes inevitable; and the mere display of power to repel aggression affords no sufficient protection against reiterated injury and insult; especially when the aggressor be, as in India, half-civilized, and incapable of justly appreciating the grounds of forbearance, he must be convinced, by loss of power and curtailment of territory, (and the rulers of surrounding states by his example,) of the impolicy of violence and injustice." This is the strain of insolent assumption which has been and may be for ever employed to justify every species of unjust aggression. While such principles are avowed or acted upon, all

surrounding states will see clearly, like Ulysses and his companions in the cave of the Cyclops, that their only chance of safety is in combining together for the destruction of a monster which proceeds systematically devouring them one by one on some pretence or another. Even the dullest observer must perceive that such pretences can never be wanting as that of some elephant-hunters being found *poaching* upon our side of the boundary line, or a Mugh being killed in an affray on the frontier, which are the original grounds of the present war for the dismemberment (as it is now avowed) of the Burman empire! After so barefaced a violation of public right, on pretences so frivolous that they will hardly bear to be named, we can no longer reproach the despots of the North with the partition of Poland—a deed of atrocity at which all Europe shuddered. Let us pause before we dip our hands more deeply in the blood of Asia, and fix a stain upon our name which ages will not wipe away. These may be called “weak scruples,” or “stale arguments,” by those who long to enrich themselves with the spoils of Amerapoora, and carve out fortunes for their numerous dependants from the revenues of Ava. But they will be otherwise viewed by those who have a regard to the permanence and true glory of the British empire in the East, which can never be secure unless its foundations are cemented by the principles of justice and mercy. While a regard to these principles is considered a “stale and old-fashioned weakness,” we cannot expect our power to be otherwise than insecure, as it is at present generally admitted to be by persons of all parties.<sup>1</sup> But surely this insecurity is not owing to the narrow limits of empire, nor to be removed by extending them.

Sir John Malcolm, and other writers of high authority on the political state of India, who have remarked the strong tendency of our Eastern empire to go on extending, have lamented it as leading to a crisis which every friend of British power would wish, if possible, to see postponed. Lord Amherst and his Council, however, would seem to regard this very tendency as a justification to them for making war on the most frivolous grounds. Knowing that the disease exists, instead of endeavouring to check, they would embrace every opportunity to aggravate it. They speak of our continual encroachments as if it were a law of nature, or a decree of fate, for which, consequently, mortals are in no wise responsible. “It would appear,” says General Macdonald, “that the British empire in India is *destined* to extend, for purposes to be developed only by the course of time. The process of the acquisition of territory seems established by a sort of invariable prescription.” As in the case of those afflicted with dropsy, who have an invariable longing for large draughts of water, which swells their already unnatural bulk, and hastens them to their grave, the purposes to be developed here by time may be the speedier dissolution of our empire. Another reason alleged by the same General for attacking and revolutionizing Ava, is, that the King is an “usurper,” and consequently there would be no harm

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<sup>1</sup> “Our footing is by no means secure.”—*Asiatic Journal*.

in reducing him to "the dregs of the people." The foundation of this assertion is, that the great ancestor of this monarch, Allompra, delivered his country from the cruel usurpation of the King of Pegue; and being then ungratefully treated by the royal family, assumed himself the reins of power in the kingdom which his talents and heroism had rescued from slavery. We wish half the royal families in the world could trace their dynasty to so honourable an origin, or show so good a title for the power they enjoy. Unless kings were created to rule by "divine right," all of them must have owed their elevation at first to similar means; in many cases, probably, far less justifiable. Therefore the term "usurper" might be applied with equal justice to the offspring of the Elector of Hanover, as to the royal descendant of Allompra. And if the regular descent of the crown from father to son, for three generations, do not legitimize his title in the eyes of the gallant General, we should like to know whether he considers the acquisitions which, we presume, he assisted to make for the East India Company during the last half century, as any thing better than usurpations? If so, he is now enjoying the reward of his services to usurpers, whose title is far weaker than that of the Burman monarch.

Among the vain pretences set up to reconcile us to this ruinous and unjust aggression, is, that it may tend to the extension of commerce and Christianity. As to the latter, the experiment has already been fully tried in India, under more favourable circumstances, and has completely failed; therefore we cannot lay claim to any thing like a divine call to propagate religion by the sword. We have indeed begun zealously with the destruction of the Burmese temples, and the carrying away of their images; not to throw them into the brook Kedion, but as booty for the disposal of his Britannic Majesty, the Defender of the Faith. It remains to be seen whether the Burmese will readily accept, either as rulers or instructors, those who, with loud professions of liberality on their lips, have begun by trampling on all they hold sacred. As to trade,—any other trade than that of monopoly or plunder,—we cannot expect that it will ever be carried on successfully by the Company, or by the building of forts and factories to coerce the natives of Ava: an experiment which, having been tried over and over again, here and elsewhere, is found to have completely failed; as commerce, to be profitable, must be free.

In a word, for the promotion of trade or civilization in the East, or of our own power, for the sake of our own interests, or those of mankind at large, our empire requires, not extension, but consolidation. In regard to territory, we have "enough for fortune and enough for fame;" still to seek for more, is to lose the substance by grasping at a shadow. We ought rather to cultivate diligently the ample field already in our possession, and endeavour to secure it more firmly by improving the Native population, amalgamating it with a large proportion of Europeans, so that the governors and the governed might become united; attaching the people to our rule by giving them a permanent property in the fruits of the soil—by restoring to them their ancient and revered right of trial by jury—by freeing them from

monopolies of the first necessities of life—and, generally, by a more liberal system of government, which should admit the most worthy of all classes to a due share of influence and honour in the state. In this manner, we should acquire security by gradually increasing our own strength, and have no need of attempting, as at present, to gain a temporary safety by pulling down others to a level with our own weakness.

This may be looked upon as the grand error in the East India Company's policy, which keeps it always at war and always in danger. The conscious want of internal solidity to resist an attack, makes it look with an evil eye on every external power. Hence the mere existence of independent neighbours is a ground of jealousy; their strength is a source of constant disquiet, their prosperity quite alarming. For while our power remains stationary, the least advance made by others reduces us in the scale of importance among nations. It is felt as an invasion of our dignity, and with the help of some plausible pretext, quickly resented as an actual aggression. This is a cause of hostilities which never can be got rid of while there are states around us advancing in the march of improvement, unless we keep pace with them, so as still to preserve the same superiority. We cannot stop the progress of mankind from barbarism towards civilization; and in Asia, now operated upon by the superior intelligence of Europe, this progress must be rapid. We have lately witnessed the effects of it in the rich arsenals, the admirable discipline, and the splendid fortifications of Cochin China. It a mere handful of Frenchmen, twenty or thirty in number, could work such a reformation among this people, how soon may it extend from them to the Chinese, who are the same race, and also to the neighbouring kingdom of Siam? In Persia, military tactics will continue to be studied, with every advantage, under the tuition of the Russians or the French: so that, in a few years, we must expect our Indian possessions to be surrounded by powerful empires, with all those advantages of arms and discipline, to the exclusive possession of which hitherto we owe our present existence in the East. If the exclusive possession of those advantages be admitted to constitute our present superiority, on what will it thenceforth rest? Of what avail will it be to destroy the Burmese, or the Siamese, or any other state, unless we hope to reduce the whole of Asia to subjection, so as to leave no power to rise up against us. We gain little by annihilating the smaller states while the greater remain: by removing the kingdom of Ava, we bring ourselves nearer in contact with the more formidable empire of the Tartars. Should China remain pacific, still the autocrat of the North, who chastised Spain through France, and from the arctic regions dictated slavery to the furthest corner of Europe, may, perhaps, with equal facility determine the destinies of the extreme Indian peninsula. For how easy would it be for this gigantic power to stir up Persia and the savage tribes of northern Asia to pour their arms into Hindoostan, the well-known easy prey of every former invader.<sup>2</sup> Against such

<sup>2</sup> On this subject, the last Number of the 'Edinburgh Review' contains some striking remarks, showing the facility with which Russia, whose power,

dangers, which must continually increase with the progress of Asiatic improvement in the military art, we can only guard by establishing a system of government admitting of a like progressive improvement in the firmness and stability of our own power. The urgent necessity of such a system cannot be questioned; that it does not exist at present, is too manifest from the fact, that our fears have been excited by the improvement of the state of Ava, though that be only emerging by very slow degrees from mere barbarism. Already, in the first dawn of

like our own, in the East, goes on uniformly extending under every change of rulers, might establish herself in Khawarazm, Bokhara, and Samarkand, and thence make a dash at the riches of Hindoostan: "The plan which, according to the anecdotes related by Bonaparte in his captivity, he had concerted with Alexander, for the march against British India, does not seem wilder now than did the expedition against Egypt at the time it was undertaken. Whatever may be the disposition of the Government, all Russian officers speak of the attack of British India as an ultimate object of its policy; and if the alarm we felt at the proposed attempt of the French on our Eastern possessions was then a just one, we should have tenfold deeper grounds of apprehension from any similar designs of the Russians. If they act wisely, they will not set foot in Persia: their line of march is different, and far more formidable. Bokhara, or Samarkand, from which they are only separated by a desert and by Tartar hordes, would naturally be their place of arms. The country between the Oxus and Jaxartes is at present connected with no great power, but is divided among a number of petty princes, whose division constitutes their weakness, and would secure their reduction. Under almost any European government, (and Russia is certainly one of the worst,) Bokhara, if left to itself, and not miserably mismanaged, could not fail to become rich and popular, which is its natural condition. It would soon be able, therefore, not only to support its own army, but become the granary of an army in advance. The Afghans alone lie between it and India. If the Russians are in earnest, their territory may be traversed either by treaty or by force; for we cannot forget that of the repeated conquests of India, those of Alexander, of Genghiz Khan, of Tamerlane, of Baber, were made by princes who crossed the Oxus at Balkh, and the Paropamisian hills between that city and Cabul; and that all of them crossed the Afghan country in spite of the opposition of the inhabitants. For effecting such a passage, the Cossacks and Russian light troops are admirably adapted, as well as for foraging in such an expedition. By such troops, without any aid from our regular commissariats, the passage has been effected again and again, and that against the very enemy which now occupies the defiles. What other nations could attempt only by a violent and extraordinary effort, Russia, in the supposed circumstances, might undertake with little more exertion than she employs to send her hordes to any other campaign. We therefore see no impossibility in the Russian march from Samarkand to the Punjab.

"What would be the result of the contest of two great European nations in India, we do not stop to inquire. Our countrymen would certainly possess great advantages,—a regular and fresh army, excellent troops, and good officers, a superior park of artillery, a well-organized and powerful commissariat, a perfect knowledge of the country, and, *perhaps*, a friendly population. We only affirm, that India has been entered again and again from the side of Samarkand; and that an able enemy like the Russians in that country, with power to wait years to recruit their fatigue, to consolidate their power, and, without hurry, to seize the favourable moment for gratifying their ambition, as they have done in the Crim, in Georgia, Armenia, and wherever their crafty policy has led them, would expose us to far greater danger than has yet assailed our Indian empire."

improvement, we are up in arms against it, as too dangerous to be suffered to flourish in our vicinity. The cry of *delenda est Carthago* is raised, as if that horde of semi-savages were about to become more than a match for our Eastern Rome. With all the advantages of European civilization on our side, with the wealth of the most fertile country on earth at our command, with the power of moulding, according to our pleasure, the immense territory and population of India, are we apprehensive of the growing power of the rude Burmese, ignorant of military tactics, almost without arms, destitute of trade to supply them with the sinews of war, without fleets or disciplined armies! The confession of fear or jealousy of such rivals, is the severest satire on the wisdom of our Indian rule.

Among the proposals made for humbling this worthy rival, is that of detaching from it all its most recent acquisitions, as Assam, Munnipoor, Arracan, and some even recommend the dismemberment of Pegue. Putting aside the question as to the justice of these schemes, let us consider simply their practicability. Pegue having been in the possession of the Burmese more than half a century, must have become quite incapable of maintaining its own independence without our support. A subsidiary connexion with it would evidently be the most effectual way to get us continually embroiled in new wars, as, from the very nature of things, this immediate contact must be fertile in occasions of difference. Then the problem comes to be solved, how we are to maintain the independence of a country continually exposed to the inroads of its former masters, without any natural barrier of mountains or rivers to restrain them. Hence the necessity of a large force; and this must be composed of Europeans, experience having shown how incompetent our Native troops alone are to cope with a foe considered to be "far their superiors in every respect, both moral and physical."<sup>3</sup> European troops, to whom the climate is so fatal, could not be supplied without incurring a ruinous waste of men and money, which, even were the country seized upon altogether, it would probably never repay. Arracan, if appropriated, affords a better frontier, but its climate is apparently more destructive; its capabilities of defraying the charges of such a new force equally doubtful. Munnipoor has been already proved to be almost inaccessible, being separated from our territories by impassable marshes and jungles. How, therefore, could we maintain a force there, or to what purpose push troops into that miserable country, altogether beyond our natural frontier, merely to perish by scarcity or climate? The seizure of Assam is not attended with the same difficulties: and this being an independent state, lately subjected by the Burmese, possibly little objection might be made to the transfer of its allegiance to the British Government. The stream of the Burrampooter, which runs through it, opens a ready communication with our territories, to which it seems to lie more convenient than to the Burmese empire, from which it is in a manner

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<sup>3</sup> This is the opinion of an intelligent observer in an Indian paper, 'John Bull,' Aug. 12, 1825.



cut off. Hence, though in that isolated situation, it could not be very formidable as a dependent of Ava—we may hope it will be equally harmless as our ally. Any additional dismemberment of the Burmese dominions appears either impracticable or pernicious; impracticable, from the nature of the country and climate, the untamable character of the people, and the useless waste of blood and treasure which must attend any attempt to reduce them to subjection; pernicious, because our present excellent frontier, protected by nature itself, will be exchanged for one much more extended and difficult to defend. While this alone must expose us to greater chances of war, the act of encroachment itself will greatly increase the number and hatred of our enemies. The fear or resentment inspired by this unjust aggression may produce a closer alliance among all the ultra-Gangetic nations, who can no longer regard themselves as safe from our boundless thirst of conquest. If we thus thoroughly awaken the jealousy of China, we may find ourselves excluded from her markets, and the whole trade thrown into the hands of foreigners; or we may find the ranks of the Burmese recruited with the gold of the celestial empire, and equipped from the arsenals of Cochin China. Should our restless usurpations inspire this deep-rooted hostility, it will be in vain for Lord Amherst to despatch embassies to the inexorable courts of Bangkok, or Hue, or Peking. His most humiliating prostrations will then be unable to appease their wrath, and we shall in vain regret that he neglected the prudent maxim of the wiser Emperors of Rome—not to extend the boundaries of the empire.

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TO WOMAN.

I LOVE too well  
 The fairy spell  
 That lovely woman casts around us,  
 To madly seek  
 The chain to break  
 With which in diamond links she 's bound us.

Her glance of love  
 To me will prove  
 A joy that nations should not buy;  
 Her liquid kiss,  
 My dearest bliss;  
 My star of life—her beaming eye.

Then, oh! may joy,  
 Without alloy,  
 Long cloudless o'er her fortunes shine!  
 May nought beguile  
 Her heavenly smile,  
 Or harm her angel form divine!

L. L. L.

## ON CONSISTENCY IN CONDUCT AND OPINION.

What matter where, if I be still the same,  
And what I should be?

MILTON.

CONSISTENCY is a quality which almost all persons are anxious to attribute to themselves. For to foresee from the beginning what course ought to be taken, to imagine a uniform scheme of life, to pursue vigorously and unswervingly the development of well chosen principles, is an argument of the highest wisdom and grandeur of soul. It is, therefore, by a wise instinct, if instinct admit an adjective, that men affect consistency in whatever they do or think. They know by experience for how much it always passes current in the world; and the same school teaches them that it is a quality of ambiguous feature, whose image and superscription other and inferior qualities may be made to bear.

In regard to the virtue itself,—the reason why it is admired is obvious enough: whatever is regular and uniform ceases as soon as it is known to be the object of experiment, and is classed by the mind among those things about which no doubts need be entertained. It is our natural love of ease which induces us, therefore, to form, once for all, an estimate of the character of those with whom we live and converse, and, having done so, to repose on the notion resulting from our limited experience as on something stable and permanent. For in fact our indolence disinclines us to be every moment making new moral experiments on our associates; and is the cause why we are ready to consider our first rough draught of their character as a perfect picture, and to condemn any bias we may afterwards discover in it as a blemish superinduced upon the original frame of their mind, while, perhaps, it always constituted one of their chief characteristics, though shaded from our observation at first by the projecting angle of some other peculiarity. Indeed, half the inconsistency and vacillation in the world is entirely imaginary, and arises from the rapidity with which we sketch to ourselves the characters of men. Perfect consistency, however, the most rare of all human qualities, can be said to form a portion of the character only when from the existence of one virtue all others of the same genus may be inferred: as, from generosity, disinterestedness; from disinterestedness, justice; from justice, magnanimity, &c. And, perhaps, it is impossible to be really consistent in virtue or in vice; for cruelty itself, and tyranny, have their weak moments, and are touched by the unwonted working of compassion. Even Nero, when the sentence passed upon a criminal was brought to him in form to be signed, cried out, “Would to God I had never been taught to write!” Of so much value did human life appear to him at that moment.

The character of some persons, gentle and amiable in small matters and domestic intercourse, but reckless and mischievous in politics, is

a moral problem that has been thought of difficult solution. But the adder does not sting its brood, nor the eagle prey in its own nest. Besides, a man may be actuated by very homicidal propensities, but be denied by nature the sternness and cool courage necessary to exert them personally. Face to face, and by his own fire-side, a tyrant may be a very agreeable person; chiefly, because he, perhaps, perceives that physically all around him are his equals or superiors, and that it might be dangerous to rouse their anger or revenge. Possessing, however, the power of killing at a distance, of conducting massacre invisibly, of animating by a word or a stroke of the pen the daggers or bayonets of thousands with an appetite for murder, his fears operate on him no longer; and the man whose sensibility might be tortured at the sight of a mouse agonizing in a trap, in his closet and comfortable arm-chair, will ravage provinces with his pen, and spill the blood of widows and orphans without compunction.

It is an old theme, the inconsistency of human virtues! But observe how unequally and absurdly even courage, the most robust habit of the mind, develops itself: the soldier, whose business it is to be familiar with danger, and to think lightly of death, and who would mount a breach without shrinking, would shudder to pass the night alone in the aisle of a church, or to stumble over a coffin in the dark on some wild heath; while a crazy old sexton, with one foot in the grave, whom the noise of a demi-culverin would terrify to death, would ply his pick-axe in a burying-ground, and toss about skulls and crural bones by moonlight, with all the cheerfulness in the world. The courage of this sexton is very different from the courage of the soldier, and far more difficult to be acquired. In battle, the whole scene is energy, and, though the business be death, there is life, action, and stirring sound on all sides. Like a taper that kindles into greater brightness just before it goes out, life appears to muster up in war its most shining efforts, and to burst, like a bubble, when its powers are largest. But in the sexton's field, a silent, cold, gnawing consciousness of mortality attacks the heart, and is backed by troop-ing fears and apprehensions of what may be beyond the winding-sheet. Worms, grown fat and wanton on the brain or cheek of some village beauty, tumble out of the black mould as he lifts his spade, and pale ghosts seem to shriek and jibber as his mattock strikes into their earthly hiding-place. His fancy becomes soiled with images of corruption, and the satellites of the King of Terrors creep into and inhabit his dreams. Yet habit reconciles him to his calling, and at length he digs a grave for his neighbour with as much indifference as a farmer turns up a furrow in a turnip field. Now this sexton, so bold and so callous among ghosts and worms, would prove, as we have already observed, an arrant coward in the field of battle; and in the midnight grave the soldier would acquit himself equally ill. Nevertheless, both cultivate a branch of courage, though not the whole virtue; and the greater part of mankind are no better in this respect than they. For you may every day meet with persons in the world professing liberal and enlarged notions, and affecting great superiority

over the vulgar, who are as vulnerable to the tricks of rhetoric as the shallowest of the multitude, being led by a melodious period, by a brilliant metaphor, by a pathos purely artificial, to approve for the time of the most irrational schemes and projects. In fact, the animal with whom Yorick was wont so frequently to colloquize, and to whom he gave the *maccaroné* at—we forget where,—was never more readily led by the ear than man. Words have ever been his idols: to these, artfully arranged, he gives the name of wisdom; to them he bows down in worship; with them he is irritated, enraged, maddened, soothed, wrought to compassion, rendered merciful, persuaded to virtue. The master of words is his master. Where, then, is the real courage of beings thus subdued and enslaved by words? The principal merit of the institutions of Lycurgus, abused much oftener than understood, was, that they emancipated the citizens of Lacedæmon from the tyranny of noisy rhetoric. The Spartan was taught to look upon eloquence as a veil, wrought over with beautiful figures, and cast indifferently before beauty or deformity; while it was waved or unfolded before him, he stood tranquil, endeavouring to look at what might be behind it, and decided according to the glimpses he thus caught.

It is words that, under the name of slander and calumny, strike terror into the bravest. Nothing but words. For, although philosophers have endeavoured to show that we are fearful of calumny only as it is an indication of evil intentions toward us, which, by spreading, may bring actual damage to our fortunes; experience denies the inference, and demonstrates that words alone are in such instances the objects of our apprehension. Let the calumniated individual be on his death-bed, let him be the last of his race, and expect to leave behind him no beloved head upon which the sting of slander may inflict a wound; let the grave, in such case friendly and beneficent, offer him for ever the amplest indemnity from suffering and malice and danger and loss, still the prospect of being pursued after death with false and hateful words (himself now become a word!) shall terrify and torment him, and double the bitterness of dissolution!

The very foundation of our hopes and fears would, if carefully examined, be found to rest chiefly on our misapprehension of words. The concurrence of the will of numbers constitutes power; power moving long in one direction, as it were, becomes right; and the exertion of this right being intrusted to some one individual, appears at length to be his natural office. This notion establishes tyranny, which subsists, therefore, on the folly of imagining an immutable relation between the act and the instrument; between government and the governor. Society itself is built upon the fiction, that priority of possession constitutes right; and the condition of men subsisting in it can never be considerably bettered until the greater number shall perceive correctly the comparative value of peace and liberty.

But the errors and inconsistencies which are common to nearly all mankind, are perhaps incorrigible, and therefore profitless subjects of speculation; those affecting only certain individuals, or, at most, certain classes of men, afford more useful scope for reflection.

Numerous as are the occasions on which men differ from themselves, and go floating on between doubt and decision, it is yet a common failing to inculcate them oftener than they are guilty. The vulgar mistake change of means for inconsistency; and, on the contrary, see no mutability in a character that tends, with the same appearances, to various and incompatible ends. A man setting up, in the beginning, Fame as the goal of his exertions, may set out with amassing wealth, and make avarice his first instrument; the first step made, he may have occasion to distribute his riches to bribe praise and silence envy; then, if it lie within his sphere, he may acquire power, and, to remove pernicious men, may exercise it harshly or even cruelly; having proceeded thus far, and silenced opposition, he may sacrifice the possession of despotic power to freedom, and, stepping from a throne, mingle with the crowd from whence he rose. To many this would appear a mere series of inconsistency, for want of discerning the real aim of the whole. Such, however, very nearly, was the career of Sylla the Fortunate, a proud and lofty intellect, than which few more great and none more consistent ever existed. On the other hand, some men, whose views, like Jonah's gourd, spring up in a night and perish in a night, establish their reputation for consistency by always practising the same habits, and maintaining the same observances. If prudence be their favourite habit, then they are always, or nearly always, exceedingly cautious and circumspect. If courage, why they brave all dangers alike, as far, at least, as their courage will hold. They are the slaves of some particular virtue.

However, as we begin to live before we have gained the least experience, or formed any very correct notion of what we would aim at, perhaps it is, after all, a fortunate circumstance that the beginning is not set up as the rule of our lives. For, in advancing into futurity, we take up, for the most part, our positions in the dark, like an army moving by stealth, and hardly know whether we are in the neighbourhood of good or ill, before the light of experience has begun to dawn about us. When we happen to make a wrong movement, we should, if we piqued ourselves on our consistency, be very loth to retract, like poor Doctor Sangrado in 'Gil Blas,' who, when he found his method of bleeding and administering warm water in all diseases to be more destructive than the plague, was prevented from altering his system by the consideration that he had written a book in defence of it. Indeed, we daily meet with Sangrados who have never meddled with physic, or written a book, but who have formerly said something which they are now ashamed to retract. To preserve the appearance of consistency, they make oracles of the sentiments of past moments, and are always wrong, because they had the ill luck to be so twenty years ago. Some persons, too, we find industriously endeavouring to provide the means of preserving themselves in error *in secula seculorum*, by oaths and vows. This attempt to put out the eye of the future, originates, we suspect, in unsteadiness of character and self-distrust. For a man would hardly think of making heaven a surety for his good behaviour, unless from some inward consci-

ousness of a leaning towards the transgression dreaded. Be this as it may, the persons most addicted to vows and irrevocable determinations are women, and men resembling them strongly in softness of disposition and in waywardness of mind. Exceeding indecision and doubt are very painful to support, and their continued pressure is a thing the mind would gladly be rid of at almost any price. It is thus that very weak persons muster sufficient courage to become monks, nuns, dervishes, or fakirs, that they may set the seal of religious terror on their brittle resolves, and link their actions to a fatal uniformity.

If the actions of mankind be at all influenced by their opinions, it is by no means wonderful that men behave inconsistently; for opinion is always changing. We commonly enter upon manhood with a very large stock of notions, picked up casually and indiscriminately, and these we are compelled as we go along to abandon one by one, till all, perhaps, upon which we valued our judgment originally, has been driven out of our minds. There is no law of the Medes and Persians for opinion. It undergoes more metamorphoses than the butter-fly. It is a star shining in the dawn of knowledge, but lost in the increasing light; or, perhaps, it may be best compared to the twilight, which separates light from darkness, and in which we perceive and judge imperfectly. Opinion, therefore, being a kind of half-knowledge, is liable to be perpetually removed as knowledge advances, and at length to be entertained of those things only which the intellect cannot approach sufficiently near. In a thing of so mutable a kind, consistency is not to be hoped for. We may very well entertain opinions now, which, in fact, would appear incompatible with each other were our knowledge enlarged; nay, with our present degree of knowledge, were we to apply it to the careful sifting of our notions. But even those who examine their conceptions most narrowly, and affect a sceptical indifference to both sides of an argument, entertain ideas in their mind which appear repugnant to each other. Montaigne is an example. He is a writer by no means over credulous, or disposed to be complaisant to the prejudices of mankind: what he thinks and feels he translates into honest downright expressions, and transfers to his essays for the good of the reader. If, therefore, any author whatever might be expected to be consistent, it should be the man whose standard of truth and falsehood is in his own breast; who never looks to authority to learn what he is to believe and what not; but, pursuing the current of his own cogitations, admits conclusions or rejects them simply as they appear true or false. But opinion, in the mind of Montaigne, is a real vapour, assuming a new shape every moment, and new colours; and shifting, as it were, before the wind, now gilds and now darkens the imagination. The honest old gentleman knew very well that where certainty is not to be reached, apparent extravagance is soon reconciled to the mind, and that therefore opinions are not at all the less captivating for being a little absurd. He saw with what boyish enthusiasm we cherish our own fancies, and make them part of our creed, and how readily we anathematize all heretical disputants, and impugners of

our infallibility. From this, and other similar views of human nature, he fell at times into an opinion very disadvantageous to the dignity of our species, and gave vent to his contemptuous notions with impetuous vehemence. On other occasions, the perusal of Plato or Plutarch, leading him insensibly into the contemplation of sublime ideas or sublimer actions, effaced from his memory all mean associations with humanity; and, in the fire of his enthusiasm, he broke out into the warmest, most animated, eloquent, and exalted panegyric on human nature, in the person of Socrates, that ever perhaps flowed from the lips or pen of any man. Rousseau, who, in many other respects, very much resembled Montaigne, entertained also, like him, a motley opinion of mankind. And Mr. Hazlitt, who has something of the spirit of Montaigne and Rousseau, and speaks perhaps with equal ingenuousness the sentiments he cherishes, preserves this characteristic of his favourite authors,—that he is every whit as inconsistent in his opinions as they.

Perhaps, however, there are very few of us in any better predicament. Change of position induces change of views, and reconciles our minds to sentiments we may previously have regarded with horror. It does not fall to the lot of many to be acquainted long beforehand with the circumstances and persons that are to influence their fate, and, consequently, to affect, in some measure, their opinions of mankind. The kind of consistency, therefore, which is practicable, or indeed desirable, is, to act according to present views, and to take full advantage of all previous experience. This, in reality, is always to be still the same, and what we should be.

#### DISAPPOINTMENT.

As from the ark dismissed, the dove  
 Flew wand'ring o'er the waters wide,  
 And found no leafy branch above  
 The homicidal tide;  
 And turn'd around a weary wing  
 To seek her floating nest again,  
 Full sad to find no living thing  
 On all that boundless main:—

So, oft does man seek round in vain,  
 In vain, to find some resting place,  
 Some refuge from the stings of pain,  
 Some tranquil little space;  
 And, pierced with Disappointment's dart,  
 Turns, like a circumvented slave,  
 To hide his wounded, bleeding heart,  
 And sorrows—in the grave.

BION.

## ADMINISTRATION OF JUSTICE IN BRITISH INDIA.

## No. IV.

*System of Panchayet, or Indian Trial by Jury.*

It seems strange that the judicial code, which has been framed expressly for the benefit of the Natives, should omit entirely the only mode of trial which is general and popular among them; for there can be no doubt that trial by *punchayet* is as much the common law of India in civil matters, as that by jury in England. No Native thinks that justice is done where it is not adopted.—SIR THOMAS MUNRO, *Governor of Madras*.

IF the authority of great names, the sanction of antient custom, or the lessons of every-day experience, could prevail with the legislature of British India, we should not now have needed to take up our pen in favour of the Indian system of trial by jury,—the most valuable institution which India ever possessed; a precious relic of popular rights, which survived all the revolutions of the empire till it fell into our hands. Then only, that which the Tartar conquerors and Mohammedan despots had spared, was at last, to our shame, totally destroyed by those Christian and civilized conquerors of the West, who had experienced the unspeakable benefits of a similar institution in their own country; for it can never be too often repeated, that the liberty of the press and trial by jury are the two pillars of the British constitution; and were either of these broken down, nothing else of this venerable fabric would remain worth preserving. India likewise, much as we are accustomed to condemn her antient institutions, enjoyed, to a certain degree, both these blessings. How she has been deprived of the first by her “enlightened” rulers, who “love darkness rather than the light,” is but too notorious: their triumph over truth can never be sufficiently lamented by the friends of civilization and good government. But if trial by jury, or *punchayet*, had been left to the natives of India, their condition under the suppression of free discussion would have been less deplorable. There would have been still one grand corrective of bad laws and corrupt or incompetent officers of justice; a universal check on the conduct of subordinate functionaries, and a considerable remedy for the defective information of the superior authorities. The people might still be oppressed by men in power, but they would at least have a protection against the oppressions of one another, which, when let loose and unbridled, are infinitely more harassing to society. Though it would not have lightened the demands of the tax-gatherer, it would have saved the property of the honest and industrious from the depredations of the indolent and profligate; and thus atoned for a multitude of sins in the political constitution.

That the *punchayet* would have secured this in a very great degree, we cannot entertain a doubt, after all we have read and seen of this and similar institutions. Indeed, as Englishmen, we cannot help regarding the trial by jury, under whatever name it may be called,



or in whatever form it may appear, as possessing something of superior excellence. Its advantages are so manifest, that nature itself seems to have dictated it to man in the very rudest ages; and however much we may boast of our modern arts and inventions, nothing better is to be found among the latest refinements of civilization.

The Indian jury differs from ours in form, in numbers, and in various other respects; but the merit of the institution depends on no accidental qualities. In both countries it is equally revered and cherished by the people. Our jury is fixed to consist of twelve, neither less nor more; theirs is of an uncertain number, and may consist of five or five hundred. *Five*, however, is a minimum, (admitting the selection of two for each party, and an umpire on the part of the state,) and this probably being the most usual number, the institution has obtained the name of punchayet, from the Persian word *punj*, or, perhaps, the Hindoo *punch*, signifying five. Our jury is chosen by lot from the body of the people; the Indian punchayet was composed of two, chosen by each of the parties litigant, and a fifth, or umpire, by the judge, or ruler. The punchayet has not the simplicity of our system, which would not be adapted to the complicated nature of Hindoo society, but consists of different gradations, of which a high authority in Hindoo law (Mr. F. H. Colebrooke) has given the following account:—

1st. Assemblies of townsmen, or meetings of persons belonging to various tribes, and following different professions, but inhabiting the same place.

2d. Companies of traders, or artisans; conventions of persons belonging to different tribes, but subsisting by the practice of the same profession.

3d. Meetings of kinsmen, or assemblages of relations connected by consanguinity.

The technical names for these three assemblies are, 1st, *Puga*; 2d, *Sreni*; 3d, *Cula*. Their decisions, or awards, are subject to successive revision or appeals. An unsatisfactory decision of the *Cula*, or family, is revised by the *Sreni*, or company, as less liable to suspicion of partiality than the kindred; and an unsatisfactory decision of fellow-artisans is revised by the *Puga*, or assembly of cohabitants, who are still less liable to be suspected of partiality. From the award of the *Puga*, or assembly, an appeal lies, according to the institutes of Hindoo law, to the tribunal of the *Pradvivaca*, or judge; and, finally, to the court of the *Raja*, or sovereign prince.

This system of appeal and revision by three successive juries, each embracing a larger portion of the community, appears to us admirably adapted to the state of Hindoo society, and to have qualities in which our own system is deficient. For instance, if with us one dozen of jurors give an unsatisfactory verdict, there is no better remedy than a new trial, by which the matter may be referred to another dozen of men. As this is a tribunal in no respect superior to the former, it affords no better security for a wiser decision; but an appeal from twelve to twenty four, and from that to forty-eight, or from the jury

selected out of a smaller to that out of a much wider circle of society, would carry with it reason and utility. In the former case, the conflicting decisions of different tribunals, of nearly equal authority in the eyes of the people, only lessen their confidence in the administration of justice altogether, which seems then a mere matter of chance. But when the decision of one court is reversed by another, believed to possess greater penetration or impartiality, this confidence in the just execution of the laws is still preserved.

Mr. Colebrooke thinks that this system of punchayet is "not of the nature either of a jury or of a rustic tribunal, but merely a system of arbitration, subordinate to regularly constituted tribunals or courts of justice." Without any reason assigned, this dictum is of little weight, and is entirely opposed to other writers on India, who have united to a knowledge of the theory, the experience of practice. Sir J. Malcolm, in his '*Memoir of Central India*,' gives an interesting account of the institution, as found existing in that quarter before the introduction of British authority. The municipal and village institutions appeared to have been cherished or neglected under the various princes according to the disposition of the sovereign. But, as far as could be traced, "their rights and privileges had never been contested, even by the tyrants and oppressors who slighted them;"<sup>1</sup> while, on the other hand, all just princes have founded their chief reputation and claim to popularity on attention to them. In each of the towns there was a zumeendar, who was considered as the head of the landholders, or cultivators; a chowdry, or head of the Bunniah or mercantile tribes; and a mehtur, or head of every other class of the inhabitants, down to the lowest. These persons settled by their own decision, or by the aid of a punchayet, all disputes they could adjust without reference to the orders of Government; and in proportion as justice was administered through this channel, or otherwise, it was popular or the reverse with the people. If a murder or robbery was committed, the manager of the town or district either heard the case himself, or sent the parties suspected before a punchayet, composed of not less than *five* of the principal public functionaries or inhabitants. Punchayets were seldom called in criminal cases, when the offence was committed in the capital or its vicinity, this being under the immediate supervision of the prince. In offences of a spiritual nature, the most learned Brahmins were called upon to aid the prince with their advice, and where the facts were disputed there must, if justice was not disregarded, be a punchayet. In this it is evidently exactly similar to our jury, whose province it is to determine "facts," leaving intricate questions of law to the judge. So we are told that "the aid of shastrees and mookhs, or men learned in the law, is called for, if required by the prince, when he pronounces judgment." In every case, the person tried has an appeal to the Raja, or prince, who can reverse the decision, and order another punchayet, but such instances were rare. In

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<sup>1</sup> Page 553.

this we distinctly recognise the counterpart of our own system of granting new trials.

But there is another remarkable feature of the Indian jury, in which it is decidedly superior to ours, and that is in the mode of making up the list of jurors. All the world knows the disgraceful system of packing and partiality which has been so long matter of complaint in this country, while the nomination was left to a public officer or servant of the crown. Mr. Peel's bill has put it into the hands of the churchwardens and quarter sessions, which is no doubt a very considerable improvement, but far short of what ought to be expected in a free country. In formerly treating of Sir Alexander Johnston's judicial reforms in the island of Ceylon, of which we felt it our duty to speak in terms of almost unqualified approbation, we expressed a doubt whether in the mode of selecting jurors there was not something still left to be desired. There also the list would seem to be formed by the officers of the court, under the superintendence, perhaps, of the judges. In the King's courts at Calcutta, we know that the lists of jurors are made up in the most disgraceful manner, so as to include often the most disreputable characters in the place, with whom respectable men refuse to associate. Let us compare this, or even the best form of English jury, with the Indian punchayet. The members of it "are selected by the general suffrage of their fellow-citizens; and, whether in the lower or higher ranks, a person who has once established a reputation for talent and integrity in these courts, is deemed a permanent member. It is a popular distinction, and therefore becomes a point of fame. A person is estimated in proportion as he is free from suspicion of being actuated by influence or corruption, and to have fame as a *punch*, (an established member of the punch or court,) is an object of ambition with the poorest inhabitant of the hamlet, as well as the highest and wealthiest citizen," and "to be a mookh, or president of the court, is the highest distinction a citizen can have."<sup>2</sup> To serve upon this jury (as we may call it) is conceived a public duty, which every man is bound to perform without fee or reward; but attendance would be enforced, if necessary. There must be five persons as the heads of the punchayet; the other members are indefinite, being more or less, according to the case or the convenience of the parties; an equal number being still, we believe, chosen by each. These junior members come and go during the examination, and sometimes, if the trial is long, absent themselves for days or weeks, but the five seniors give it undivided attention. The latter, composing the punch, are considered as in some respects like our judges, while the rest stand to them in the relation of jurors or assessors. The punchayet is expected to be unanimous in its award, but this is not indispensable as with us. A very large majority, however, is required; and the power it has, with the concurrence of the Government officer, to expel a contumacious

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<sup>2</sup> Sir J. Malcolm's Central India, Vol. II. p. 569.

member, generally secures unanimity. In the eastern parts of Malwa, the rule is, that if one member persists in dissenting from the rest, his dissent is recorded, but should two (out of the five?) dissent, the proceedings are nullified.

After what we have stated above, no doubt can remain that the punchayet was a part and portion of the regular judicial administration of the country, as much as a jury is a part of ours. In so far as any submission of disputes to the decision of a third party, be it judge or jury, may be considered a kind of arbitration, punchayet may be so called. But this term, applied to it by Mr. Colebrooke, cannot be taken in its usual acceptation, unless it can be shown that it was quite optional with the parties to submit to it or not as they chose, or to carry their case before another tribunal. But, says Sir John Malcolm, with unanswerable force of reasoning, when, under a Native prince, complaints were made and accusations brought forward, and he, instead of a despotic award, directed in a spirit of justice or moderation that a punchayet should assemble and investigate them, "Can any man, acquainted with the principles upon which such states acted and the feelings of those subject to their authority, believe that the defendant or complainant, (though each had a privilege of fair challenge,) would deem himself at liberty, whatever nominal forms might exist, to refuse to submit his case to the tribunal ordered to investigate it? He could not but know that such conduct would be deemed contumacy, and subject him to all the hazard of a summary and violent proceeding."

This brings us to the manner in which the punchayet has been destroyed by the British Government, which is itself a conclusive proof of what it was under the Native princes. Under them it had flourished for ages, and was cherished by the people with a degree of affection which they have never displayed for any other civil institution. We have made it optional with parties to submit to it or not; and in a few years it has fallen into utter ruin and decay. Nor is this attributable to any change of opinion, for the inhabitants still cling to its memory with fond regret. But, as now a punchayet can only take place with the mutual consent of the disputants, how will both agree to submit to its decision? In our own country, where arbitration, the best mode of settling differences, is open to all, how few are the cases so decided, compared with those which are crowded into the courts of law? And this is quite natural; for, as in every case, both parties cannot be right, each will calculate which court gives him the fairest chance of gaining an advantage over the other. If the honest man prefer arbitration or punchayet as affording the best security for his just rights, the dishonest litigant will for the same reason shun that ordeal, and seek to obtain his object of protracting or perverting justice through the tedious forms and technicalities of our adawluts or law courts. Some (says Sir John Malcolm) may be encouraged to prefer the adawlut by artful vakeels<sup>3</sup>, who have a personal interest to promote; and many may expect to escape from it, who would dread the better and more minute local knowledge of the punchayet."

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<sup>3</sup> Native lawyers.

We are told that it was not the *intention* of the Bengal regulations to abolish the system of punchayet : we know, however, that they took the most effectual measures for that purpose. By the judicial regulation of 1772, it was made optional with the parties to submit their causes to this mode of trial or not as they pleased ; and respectable persons were at the same time formally released from all necessity of forming the court. A law to the same effect in England would destroy trial by jury at once. In 1780, the same rule was repeated. In 1781, Sir Elijah Impey, (a judge worthy of the task,) gave it the *coup de grace*, by adding a provision, " that no award of any arbitrator or arbitrators be set aside, except on full proof made on oath of two credible witnesses, that the arbitrators had been guilty of gross corruption or partiality." This learned friend of Warren Hastings knew well that, in India, two " witnesses" could be found to swear to any thing ; and that corruption or partiality was there always " credible," even in a Chief Judge or Governor-General. There being no mode left for obtaining a revision of the award, but by imputing corruption or partiality, every losing party was tempted to have recourse to this remedy. Persons of any character were unwilling to place themselves in a situation which exposed them to be so calumniated by the disappointed litigant ; and the practice of punchayet was finally suspended, strangled we may say, by the same hands, and in as ignominious a manner, as the unfortunate Nuncoomar.

Those who have for their maxim and motto, that " whatever is, is right," will contend, that though the punchayet is abolished, we have substituted something better in its stead—our " incomparable" adawlut system. In instituting an inquiry as to how this system works, we are nearly confined, by the present happy constitution of things in India, to the reports of those who are personally interested in supporting its credit. Although all their partialities would lead them to declare, like Mr. Canning of another system, that " it works well," yet even their own evidence tells a very different tale. There can be no stronger proof of the defective administration of justice, than an excessive accumulation of suits. For, as in each case, one party is in effect aiming to do the other a wrong, the multiplication of such attempts is a sure sign that there is great scope afforded for injustice ; since it is evident that persons would not come into the courts either to prefer unjust or to resist just claims, unless experience had taught them that this might often be done with success. It is this hope which attracts litigious suitors into the court, and not the mere love of litigation—a propensity soon checked when it is found that justice must speedily overtake the vexatious litigant, and visit him with loss and disgrace. Let us apply this test to the adawluts in Bengal. In 1795, in the district of Burdwan alone, the number of civil suits pending before the judge exceeded thirty thousand ; and it was shown by computation, that in the established course of proceeding, the determination of a cause could not, from the period of its institution, be expected to be obtained in the ordinary course of the plaintiff's life.<sup>4</sup> This was

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<sup>4</sup> Fifth Report, p. 55.

equivalent to a complete stagnation of the course of justice; and those who draw the revenues of the country on the expressly implied condition of dispensing justice to the inhabitants, were bound to provide a remedy. They did so in their usual way, which is to prescribe the imposition of new taxes as a sovereign cure for all evils affecting their subjects, whether the disease assume the form of superstition, intoxication, or litigation. They revived the deposit fee on suits, which had been abolished by the virtuous and benevolent Cornwallis. Giving this regulation a most iniquitously retrospective effect, they got rid of the greater part of the suits already instituted, by a requisition for the deposit fee to be paid on them within a limited time.

The suitors in general being, from local distance, unformed of what was intended to be done, or, from want of confidence in their cause, indifferent to it, or from poverty unable to avert it by the payment required, no greater number of suits remained on the file when the period for dismissing them arrived, than appeared to be manageable.

This is the language of the Fifth Report, which means, that in one day, in a single district of Bengal, by an iniquitous retrospective law, the greater part of thirty thousand complainants had the doors of the Company's courts shut against them, and were driven away without redress, by ignorance, poverty, or despair. This extraordinary fact is triumphantly quoted by the organ of the Leadenhall-street legislators, with an inference from it more extraordinary still:

In all countries under any system, as it has been well observed, justice, to be *well* administered, must be *DEAR* as well as *SLOW*!!!

If this be the case, the East India Company may congratulate themselves that their system has reached the very summit of perfection, when a cause lasts a life time, and much the greater number of persons are not able to pay for justice at all! It is immediately added:

The system thus eulogised [eulogised!] has since been still farther *improved*, particularly in the inferior branches of the administration, whereby the forms have been simplified, and the expense of suitors *moderated* <sup>6</sup>.

So it is, that every thing done by these "honourable masters," or their infallible servants, is the best possible. Yesterday, an *increase* of law expenses was a blessing; to-day, a *decrease* is equally a blessing! It was for "perfecting the judicial system" that the tax on justice was removed; the renewal of it was another step towards higher perfection; and again, the diminution of law charges is a "further improvement."

Notwithstanding these measures, adopted to exclude the poor from justice, business still accumulated much faster than it could possibly be despatched. In 1797, the judicial tax was augmented; yet in January 1802, the following tremendous array of causes remained undecided. We add, in another column, the whole number disposed of since 1794:

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<sup>6</sup> 'Asiatic Journal' for February 1826. p. 153.      <sup>6</sup> Ibid.

CAUSES PENDING.		DISPOSED OF SINCE 1794.	
Before the five Courts of Appeal . . . . .	882	.....	667
The twenty-eight City and Zillah Courts . . . . .	12,262	.....	8,298
Registers of ditto . . . . .	17,906	.....	14,124
Native Commissioners . . . . .	131,929	.....	328,064

Subsequent accounts showed that the evil had not at all diminished. In fine, the Committee of the House of Commons, which drew up that Report, declared the following remarks of the Directors of that day, to be applicable to the state of both the Presidencies of Madras and Bengal :

We should be sorry that, from the accumulation of arrears, there should ever be room to raise a question, whether it were better to leave the Natives to their own *arbitrary* and *precipitate* tribunals, than to harass their feelings and injure their property, by an endless procrastination of their suits, under the *pretence* of more deliberate justice.

It is, in fact, a mere pretence both ways ; for the Native tribunals (*i. e.* their punchayets) are far less “ arbitrary ” and less “ precipitate ” than those presided over by the servants of the Company, in which the enormous mass of business occasions causes to be hurried over with a despatch declared to be almost “ incredible ; ” and the superior courts are so distant and expensive, as, in ninety-nine cases out of a hundred, to preclude the possibility of any appeal. Above all, to talk of appealing to the King of England, is a mere mockery : to the great body of the people, we might as well talk of appealing to the man in the moon. They only know and feel the authority of their own delegated “ civil ” king, who is to them an absolute monarch, whose will is supreme law, as far above the reach of public opinion as beyond the ken of his earthly superiors ; who, having rejected the only human means of supervising such an extensive empire with effect, namely, the freedom of the press, should be possessed of the attribute of omniscience. To illustrate the sort of “ deliberation ” which the Company would insinuate to be one of the qualities of its judicial system, we may take the following instance :

On a supposition of the business of the year 1802 being equally divided between the judges of the four courts of circuit, for any of the half-yearly jail-deliveries, each judge would have more than 700 persons to try ; and he might despatch the business at the rate of somewhat more than four trials per diem, if the whole six months were employed on the circuit, with little time allowed for travelling from station to station. But in the foregoing instance, the Calcutta division presents the unequal numbers of 335 charges, and 1082 prisoners, augmenting the business of the judge in a degree which, on the average, must have required him to try more than seven persons in a day, one day with another, in order to get through the business in the time allotted before the commencement of the circuit following.

From this it is but too evident that the Company’s servants are disposing of the lives and fortunes of its millions of subjects in the East, with almost the same rapidity as the Directors are knocking down the chests of tea at the India House. Even then, the judicial business cannot be disposed of with sufficient despatch ; and, unfor-

unately, prisoners and witnesses cannot be packed up in a "godown" with as little injury or expense as a bale of cotton, or chest of indigo, until they are brought to the hammer. The prisoners, innocent or guilty, are kept for months in confinement before they can be brought to a hearing; during which time they are shut up in a crowded prison, where death not unfrequently overtakes them before the judge has time to inquire whether they have committed any fault. Such is the "*slow and dear justice*" which the East India monopolists boast of meting out to their subjects; a system which affords conspirators and villains an opportunity of destroying the innocent and sheltering the guilty, in a manner that "threatens to turn the administration of justice into a public scourge."<sup>7</sup>

Nothing more need be said as to the advantages of *slow justice*: it is worse than none at all. As to the advantage of *expensive justice*, we have before us the recorded opinion of the Moorsheadabad Court of Appeal and Circuit, and of Sir Henry Strachey, an authority the weight of which none will dispute. In answer to the interrogatory, whether litigation had been checked by the fees paid to Government on the institution of suits, and the expense of vakeel's fees, on exhibits and stamps? the judge referred to, declares that—

The increased expense of law-suits had never been found to check litigiousness; on the contrary, it has been generally observed that litigation is encouraged thereby, in the hope that the *certainty* of the expense, added to the *uncertainty* of the result, might deter parties from defending even their just rights.

Sir Henry Strachey says:

If what I have understood is true, that (in consequence of the judicial tax) suits in the Dewannee Adawlut are prevented from accumulating as heretofore, it is not because the litigious only are deterred from prosecuting, since a man is deterred from sustaining expense in proportion as he is *poor*, not as he is *litigious*. Nothing else can be inferred from the fact, than that the charges of prosecution are so *exactly* calculated, and the fees and stamp-duties so judiciously contrived, as to enable the courts to administer justice to *all who can afford to pay for it*.

In fact, the authors of really litigious suits are the men best able to support exorbitant costs; and it is the glorious uncertainty of the law, or, in other words, the gross defectiveness of the administration of justice, which tempts them to embark in this lottery with the view of over-reaching their poorer neighbours. Here, then, is the radical evil in our system, for which the only possible cure is a punchayet. On this subject we might adduce a host of evidence, which all points to that remedy; but we shall be content at present with that of the high authority we have just quoted, (Sir Henry Strachey;) and let the reader bear in mind the multitude of causes that are every day to be decided, with the perplexity and confusion in which they must involve a European judge administering justice to a strange people in a foreign tongue, without almost any clue to guide him through the

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<sup>7</sup> Fifth Report, p. 69.



endless labyrinth. Sir Henry Strachey thus states the results of his own personal experience :

In the course of trials, the guilty very often, according to the best of my observation, escape conviction. Sometimes an atrocious robbery or murder is sworn to, and in all appearance clearly established by the evidence on the part of the prosecution; but when we come to the defence, an *alibi* is set up, and though we are inclined to disbelieve it, if two or three witnesses swear consistently to such *alibi*, and elude every attempt to catch them in prevarication or contradiction, we are thrown into doubt, and the prisoners escape.

Very frequently the witnesses on the part of the prosecution swear to facts in themselves utterly incredible, for the purpose of fully convicting the accused, when, if they had simply stated what they saw and knew, their testimony would have been sufficient. They frequently, under an idea that the proof may be thought defective by those who judge according to the regulations, and that the accused will escape, wreak their vengeance upon the witnesses who appear against them, and exaggerate the facts in such a manner, that their credit is utterly destroyed.

Witnesses have generally each a long story to tell; they are seldom few in number, and often differ widely in character, castes, habits and education. Thrice over, viz. to the darogah, the magistrate, and the court of circuit, they relate tediously and minutely, but not accurately, a variety of things done and said. Numerous variations and contradictions occur, and are regarded with cautious jealousy, though in reality they seldom furnish a reasonable presumption of falsehood.

But who shall distinguish between mistake and imposture? What judge can distinguish the exact truth, among the numerous inconsistencies of the Natives he examines? How often do those inconsistencies proceed from causes very different from those suspected by us? How often from simplicity, fear, embarrassment in the witness? How often from our own ignorance and impatience?

We cannot wonder that the Natives are aware of our suspicious and incredulous tempers. They see how difficult it is to persuade us to believe a *true* story, and accordingly endeavour to suit our taste with a *false* one.

I have no doubt, that previously to their examination as witnesses, they frequently compare notes together, and consult upon the best mode of making their story appear probable to the gentleman, whose wisdom it cannot be expected should be satisfied with an artless tale—whose sagacity is so apt to imagine snares of deception in the most perfect candour and simplicity.

We cannot but observe, that a story, long before it reaches us, often acquires the strongest features of artifice and fabrication. There is almost always something kept back, as unfit for us to hear, lest we should form an opinion unfavourable to the veracity of the witness. It is most painful to reflect how very often witnesses are afraid to speak the truth in our *catcheries*.

We cannot study the genius of the people in its own sphere of action. We know little of their domestic life, their knowledge, conversation, amusements, their trades, castes, or any of those national and individual characteristics which are essential to a complete knowledge of them. Every day affords us examples of something new and surprising, and we have no principle to guide us in the investigation of facts, except an extreme diffidence of our opinion; a consciousness of inability to judge of what is probable or improbable.

Sometimes we see the most unfair means taken by informers and thieftakers to detect and apprehend the accused. We find confessions extorted and witnesses suborned; at the same time we think the accused guilty, and the prosecution fails, merely because the unfair play used against them leads us to suspect more.

When we recollect the extreme uncertainty to us of every fact which depends on the credit of the Natives to support it, who can wonder that a very slight circumstance should turn the scale in the prisoner's favour, and that, while we think innocence possible, we hesitate to condemn to death or transportation?

I do not speak of these things with any view of proposing a remedy. If the mind is not convinced of guilt, an acquittal must follow; and we have nothing left to do but to lament that a robbery or a murder took place, and that justice has failed to overtake the offenders.

I have no new rules to propose, for the conduct of trials in the criminal courts, or for admitting or believing evidence. I am inclined to think no new rules of evidence can serve any purpose, but to embarrass the courts, and create new obstacles to the conviction of the guilty.

The evil I complain of is extensive, and, I fear, irreparable. The difficulty we experience in discerning truth and falsehood, among the Natives, may be ascribed, I think, chiefly to our want of connexion and intercourse with them; to the peculiarity of their manners and habits; their excessive ignorance of our characters; and our almost equal ignorance of theirs.

This intelligent judge wisely declined proposing any new rules of evidence, well knowing that the defect lay not in the forms of procedure, but in the instrument of justice itself. He felt that nothing but the aid of Native jurors, or assessors, could answer the ends of justice.

Europeans (he elsewhere declares) in our situation, are necessarily ill qualified to perform the duties required of us as judges or assessors. Nothing is more common, even after a minute and laborious investigation of evidence on both sides, for the judge to be left in utter doubt respecting the points at issue. This proceeds chiefly from our imperfect connexion with the Natives, and our scanty knowledge, after all our study, of their manners, customs and languages. Within these few years, too, they have attained a sort of legal knowledge, as it is called, that is to say, a skill in the arts of collusion, intrigue, perjury, and subornation, which enables them to perplex and baffle us with infinite facility. This facility has introduced, and extensively established of late years, professions heretofore almost unknown in India; namely, those of informers, sharpers, intriguers, suborners and false witnesses, whose sole occupation is that of preying upon their fellow-creatures, and whose long career of impunity convinces them that honesty is the worst policy.

In this manner, as we have again and again declared, the British rulers of India, instead of improving or enlightening, are, by a vicious policy, degrading and demoralizing the Hindoos, notwithstanding all their hollow professions of a regard for their temporal and eternal welfare.

The obvious and natural remedy for all these evils is the restoration of the punchayet, the abolition of which by us has afforded an inlet to this deluge of vice and corruption in society. Every approach already made to this antient and revered system, in any part of India, has

been attended with the most signal success. One of the judicial reforms of Lord Cornwallis, in 1793, was the appointment of Native commissioners to try all suits under the sum of fifty rupees. We have before shown the immense weight of business of which they relieve the courts; and as to their efficiency, Sir Henry Strachey testifies that—

The commissioner decides with perfect facility a vast number of causes. He is perfectly acquainted with the language, the manners, and even the persons and characters, of almost all who come before him. Hence perjury is very uncommon in his court. I am perfectly convinced (he adds) that a Native of *common* capacity will, after a *little* experience, examine witnesses, and investigate the most intricate case with more temper and perseverance, and with more *ability and effect*, than almost any European.

These commissioners sit from morning till night, on a mat, under a shed or hut, or in the porch of a house, incommoded by the heat or crowds which surround them, listening to and understanding every body, and patiently developing the merits of every petty suit with incredible labour and patience. While the European judges receive several thousands a year, these persons, who bear the burden and heat of the day, are hardly allowed a bare subsistence, to save them from the pressing temptations of want. Seeing they discharge their functions so creditably even in that low and depressed condition, what would they not do if stimulated to improve their minds by the prospect of liberal reward?

Great, however, as the advantages of such commissioners undoubtedly are, from their possessing the important quality of discrimination, yet, as being servants paid or appointed by the Government, liable to the suspicion of corruption or of subserviency to other public officers, they are not to be compared in point of merit with the punchayet. But all the arguments of Sir Henry Strachey in favour of the one, apply equally to the other; and Sir John Malcolm's testimony as to the efficacy of this system in Central India, is still more decisive:

The condition of that country, and the mixed administration of immediate rule and general control over dependent states, was thought to afford a good opportunity of judging how far punchayets could be employed in that difficult system of government. The result of the experiment was satisfactory: the knowledge and discrimination which some of the members displayed on the trial, and the distinctness of the grounds on which the court made up its judgment, were surprising. There was in no instance any cause to suspect these courts of partiality, much less of corruption.

Though the nature of many of the cases led to the most laborious and minute re-examination of facts, *no instance* occurred in which it was necessary to reverse the original decree; there was no appeal from a decision which did not do credit to them. Many complaints brought before the local officers were withdrawn when submitted to a punchayet, from a consciousness in the complainant that he could not substantiate his charges by any good evidence, and a conviction that fabricated statements could not pass that ordeal. Men who had advanced false claims or accusations continually, came forward after

the punchayet had assembled, with a written acquittal of those they had meant to injure, and might easily, perhaps, have ruined, before a less discriminative court. This is the true way to discourage litigiousness; not by the imposition of heavy fees and taxes, which operate as a denial of justice to the poor and honest suitor.

Having said thus much of the suitability of the punchayet for Bengal and Central India, we shall now quote the highest authority as to the Madras territory. Sir Thomas Munro states that—

No Native thinks that justice has been done where it is not adopted; and in appeals of cases formerly settled, whether under a Native government or that of the Company, previous to the establishment of the courts, the reason assigned in almost every instance was, that the decision was not given by a punchayet, but by a public officer, or by persons acting under his influence, or sitting in his presence. The Native who has a good cause, always applies for a punchayet, while he that has a bad one, seeks the decision of a collector or a judge, because he knows that it is easier to deceive them.

No higher authorities can be quoted in favour of an institution which has every thing to recommend it: great antiquity and eminent usefulness, the convenience of the Government, and the veneration of the people. Mr. Tucker in his late work urges two objections to it, which we shall just notice: he says, first, "that it is an institution rather suited to a rude state of society, and which would seem scarcely adapted to a more advanced state of civilization;" and again, "it should be the study of Government to give our Native subjects the most perfect institutions, which may be compatible with the existing state of society among them." That is, the poor natives of India are either too far advanced, or too far back for *any* privilege that is really valuable! If it be proposed to give them the liberty of the press, they are declared to be several thousand years behind it. Now, when punchayets are recommended, suddenly this wonderful people are pronounced to be much too civilized to receive them! But, says Mr. Tucker, "the advocates of the punchayet may perhaps be surprised to learn that their favourite institution has been tried upon a large scale in modern times, and the experiment is considered to have entirely failed." He refers to the system of arbitration introduced with the French revolution, when all questions of jurisprudence were referred to voluntary arbiters, and from their contradictory decisions much confusion followed. But we deny that this is a case in point, or that punchayet arbitration, applied to intricate questions of law, and not issues of fact, was ever intended by philosophical writers on India. Mr. Tucker himself may be surprised to learn, that an experiment much more similar has been tried on a very large scale, in a country very near to France, and is considered to have completely succeeded; we mean in England, where the jury, our punchayet, are often judges of the law, as well as the fact.

Sir John Malcolm has proposed a plan for introducing the punchayets into Central India, which is given in the Appendix to the second volume of his last work. As that must already be in the hands of many of our readers, we need not enter into its details. We have great satis-

faction, however, in stating that he admits the principle of the members being chosen by the suffrages of the people. Though we see no possible objection to this plan, and agree with the President of the Board of Control, that if the name or form of punchayet be more agreeable to the natives of India, that itself is a strong ground of preference; yet, in other respects, we cannot but regard the jury system introduced in Ceylon as a model which ought to be followed, so far as it may be compatible with the notions and circumstances of the different tribes in Continental India. The name of punchayet might at all events be preserved; and also perhaps the number, in regard to small causes, as being more convenient. From this, an appeal might be allowed to a punchayet of greater number and respectability, in causes above a certain amount. But whatever modifications of form may be adopted, let the essence of the institution be preserved. Let the rank of *punch* be a title of honour, conferred on the most worthy, by the suffrages of his fellow-citizens; let the members be fairly chosen, either by lot, (by far the best mode,) or by the mutual election of the parties, with a president appointed by the court; let submission to this tribunal be made obligatory, and its decision binding as a decree of the court. Then there is no fear that the natives of India, who have submitted to lose this revered institution altogether, will, on account of any minute points of form, object to its immediate restoration. We ought rather to say, that it will be hailed as the greatest blessing we have ever conferred upon them; and do much, as declared by Sir John Malcolm, to reconcile them to the many disadvantages of foreign domination.

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TO SLEEP.

WHAT art thou, Sleep, ally of night and dreams?  
 Where is thy natural dwelling? *Here* thou seem'st  
 An alien snatching in a foreign land  
 Thy birth-right blessings. Oh! I mark thy care  
 At drowsy evening to secure thy couch  
 From horrid things, that, e'en in civilized lands,  
 Stalk forth at midnight. Why does thy pale taper  
 Pry in the angles of thy chamber, Sleep?  
 Why dost thou press those bolts? Those careful keys  
 Turn in their sockets? Does thy mother Darkness  
 Teem with some fearful kindred that would prey  
 Upon thy silent hours? Ah! what is he  
 That stands with bloody knife, and lanthorn dim  
 Beside thy pillow? What does he do there?  
 Is it some phantom from the fruitful womb  
 Of fancy? Or some fiend begot in hell!  
 Hush!—Tis a murderer! He peruses close  
 Thy heavy lids—stir not—he still as death—  
 Grasp fast thy dreams another golden minute,  
 The magnet of his soul will draw him off;  
 Thy gold!—He's gone. Thy rifled coffers yawn—  
 But life is partner of thy pillow still.

Bron.

## UNPUBLISHED MANUSCRIPTS OF A TRAVELLER IN THE EAST.

## No. VI.

*Excursion from the Harbour to the Town of Milo, one of the Islands of the Greek Archipelago.*

THOUGH it was now in the sultry month of August, the air was fresh and cool, in consequence of the brisk gale that blew from the northward, which was extremely favourable for our intended excursion over the island of Milo. We accordingly took an early breakfast, and at eight A.M. left the ship in charge of one of the Greek pilots, and at nine landed at the watering-place, formed from the ruins of some antient baths, a great number of which lie on the skirts of the shore, indicating the former prosperity and domestic luxury of its inhabitants. Several asses and guides having been sent down to us by the Greeks who were on board our vessel on the preceding day, we mounted them astride, according to the English fashion, which appeared highly diverting to the islanders, this mode of riding being unusual among them; and we soon found, indeed, that it was by no means suited to the construction of their saddles, and furniture. We accordingly adopted their own mode of sitting with the left arm toward the animal's head, and the feet hanging over the right side, resting in grass rope stirrups. As we advanced up the mountain which we were ascending, the propriety of the mode of riding invariably observed here, became more apparent, as it frequently happened that the animals passed through a sort of rut, or channel, cut through solid rock, where the width barely allowed the rider to pass without touching its sides, so that we were frequently obliged to hold up both feet, in a horizontal direction, level with the animal's back, to prevent their being bruised between its sides and the rock, which could hardly be avoided by any other mode.

The ride from the shore of the harbour to the town of Milo, a distance of two miles only, occupied about an hour and a half. It was over such roads as it would be perfectly impossible for any English horse to travel. In some places, the asses had to walk literally upon the edge of a precipice, where the least false step would consign them and their riders to inevitable destruction; yet the confidence of the Greeks in the steady tread of these animals is such, as to make them trot on without the least care or apprehension. From the summit of one of the hills we enjoyed an extensive view of the island. It appeared, in general, mountainous, without being rocky or barren. Besides several beautiful valleys and plains, which display the most abundant fertility, and produce corn in great plenty, the mountains possess a rich soil of considerable depth; and the wild luxuriance of unforced vegetation proves its productive qualities. The order of their cultivation is thus: the plains and valleys are appropriated to corn land, the southern slopes of the hills form their vineyards, the northern pro-

duce their cotton, and on the summits and inaccessible crags their goats and mountain-sheep browse upon the heath, while their oxen and asses graze upon the flat land that skirts the shores of the harbour. Their harvest of corn was already in, and the cattle now fed upon the stalks of the reaped corn. Their vintage was commenced, and the grapes in the highest perfection. Their vines are planted in the same manner as in Spain and Portugal, but the fruit is certainly superior. Their cotton was in a forward state. It is the first species *gossypium herbaceum*, or common herbaceous cotton, with an herbaceous stalk about two feet high, when full grown, branching upwards; fine-lobed smooth leaves, and yellow flowers from the ends of the branches, succeeded by roundish capsules full of seed and cotton. Their corn, ground by windmills, affords them sufficient for their own consumption, and about equally as much for exportation or sale. Their asses are of excellent quality, and in great numbers, their average price being from eight to ten dollars: these are used for every purpose of labour and tillage. Their oxen are small, but of good quality, as well as their sheep and goats. Of all these, they have a surplus beyond their own consumption, which they generally sell to vessels touching here for pilots. The price of a good ox is from fifteen to twenty dollars; of a sheep, two to three dollars; and of a goat, one dollar and a half. The grapes furnish them with very pleasant wine, which they sell from two to three dollars per barrel; and their cotton is manufactured by the women, and forms almost every garment of their apparel. Notwithstanding the productive qualities of the soil, at least nine-tenths of the island lay waste and uncultivated, which, as far as we could learn, did not arise from the indolence of the inhabitants, but from the want of capital and population to improve it.

It was nearly eleven when we reached the town, at the foot of which we alighted, as our animals could proceed no further. The old town of Milo stood near the sea-shore, but being subject to the depredations of the pirates of the Morea, who frequently landed in large parties, and ransacked its habitations, the islanders retreated for safety to the summit of one of their highest hills commanding the entrance to the harbour. This mountain terminates in a sharp point, and around it the town is built. The entrance is through an arched gateway, to which we ascended by a flight of steps. The streets, if such they may be called, are barely wide enough for two persons to pass each other, and are all so steep as to form flights of steps, which are roughly hewn out of the rock for the ease of walking; indeed many of them would be impassable without such aids, as their elevation is from forty to fifty degrees. There are about a hundred houses, all built in the same style, of large stones, without being squared even in the front, and having no cement. They consist of one room only, about twenty-five feet square, having a stone floor, plastered walls nicely white-washed, and a flat roof formed by cross beams of wood covered with straw matting, and over that a thick covering of mortar. Their windows are small, and without glass, having wooden shutters

to exclude the rain and wind. At one end of the room stands the bed, having two posts of cane, two of the sides touching the wall; round this is drawn a white cotton curtain, sometimes with a fanciful border. The bed itself is of straw, and all the bedding and furniture of their own cotton. The walls were invariably ornamented with religious pictures of the most grotesque kind; such, indeed, as could only be produced by a superstitious fancy, an unskilful pencil, and an execrable taste. Some idea may be formed of the steepness of their streets from this peculiarity in their buildings, that the top of one house forms an exact level with the bottom of the other above it, and each house having a door that lets out into this space, the top of one dwelling forms a level walk for its next, or upper neighbour, where they often sit to enjoy their wine and tobacco.

After being gazed at by all the women and children of the place, we at length reached the Consul's house. It was similar in every respect to the others, or distinguished only by the cleanliness of its interior, and the neatness of its arrangement. We were received by a jolly-looking old man, apparently about seventy years of age, who spoke English very intelligibly, as he bade us welcome; and after taking some wine and fruit, we were joined by our visitors of the preceding day. The old man, whom I took to be seventy, was, as I afterwards learnt, nearly 100 years of age; yet he possessed the vigour, activity, and good-humour of an English farmer at sixty. He was the father of twenty-five children, all resident in the island, and whose descendants had so well followed his example, that it was computed that half the population, at least, had sprung from his loins! The Consul and the priest were among his sons, the former of whom was gone to Smyrna on business. It was impossible to look on this venerable old patriarch, whose well-filled skin and rosy face bore witness to the quality of his cheer, without feeling a desire to know something of his history; and insinuating my inquiries in the most delicate manner I could, I learnt the following particulars:

The old man, whose name was Antonio Mitchello, was born in the island of Milo, in the year 1715, of Greek parents. At the early age of nine years, he went to sea on board a Greek vessel, and continued to trade to all the ports in the Mediterranean for a long series of years, during which time he married, and settled at Milo. After this he became a pilot, and was a long while employed in piloting British vessels, and cruising in ships of war through the Archipelago. At the age of seventy he retired from the sea service, and returned to his family. The harbour of Milo being often visited by British vessels, his attachment to that nation induced him to call himself their Consul; and Englishmen always found a welcome at his house. I could not learn that he ever had an appointment from Government; nevertheless, he filled this station in a manner calculated to conciliate the esteem of all who visited him, and at length resigned it to his son. The anchorage-fee of three dollars, paid by all vessels entering the port, entitles their officers to the freedom of his table, which they visit as often as they please, without any additional charge.



About noon, a second party from the ships in the harbour reached the town, consisting of the commander of one of his Majesty's ships, with a traveller who was his passenger; two captains of merchant vessels, and two English ladies and an infant. After resting a few minutes to recover from the fatigue of the journey, we all followed the old gentleman to pay our visits to his descendants, and called at almost every house in the town, making but a short stay in each, yet taking wine at every one, the omission of which we were told would be construed into disrespect.

At one of their houses, an occurrence took place, which for a moment disturbed the harmony of the scene, though it produced no serious effect. The infant of one of the English ladies had particularly excited the attention of all the Greek women, who strove to outvie each other in their expressions of tenderness towards it, and one of them who was nursing a child of her own, as a mark of fondness, suckled the little stranger at her breast. The English lady, perceiving it, rushed from her chair, tore the infant from the bosom of the Greek, and overcome with agitation, had scarcely time to reach her seat, before she swooned away. It is impossible to describe the surprise of the Greeks at such an unexpected incident. They silently looked at each other, with the wild stare of astonishment, until surprise gave way to indignation, and they unanimously considered it an insult of the grossest kind. The Greek woman expostulated through the medium of Mitchello, who acted as interpreter, and asked whether the lady doubted the purity of her milk, or the chastity of her conduct; the former, she said, was "as unmix'd as the rain of heaven," and the latter, "as white as the snow of the mountain." These were her literal expressions. One of the party endeavoured to appease her by saying that the English mother was in the act of weaning her infant, and wished to deprive it of the breast altogether, which was the only excuse that could be admitted; although, the infant being only four months old, many of them seemed to doubt the truth of this story. The good nature of these people soon however restored the harmony that had been thus disturbed.

At two o'clock we returned to the Consul's house, where a dinner was prepared for us, to which we sat down with the males of the family only. On asking whether the females of the house would not honour us with their company, we were answered that they were always taught to consider themselves superlatively honoured by being allowed to *wait* upon their superiors, the men!—and that no one would be guilty of such presumption as to eat at the same table! It may be imagined how such a doctrine was relished by our fair countrywomen. They inveighed against it with all bitterness, while the gentlemen did not omit so favourable an opportunity of illustrating, by this contrast, the value of the privileges enjoyed in European society.

Our dinner consisted of excellent soup, made from a neck of veal, thickened with rice, eggs, and vegetables; roasted and boiled fowls, which are sold at about 9*d.* each, and roasted partridges, equal in quality and size to those in England, and so plentiful here, that they are

sold at 2*d.* and 3*d.* sterling each. This was followed by a desert of melons, grapes, &c., and the wine of Milo formed our beverage.

The Consul's wife and daughters all waited at table. Their features were quite of the antique cast, regular, and gravely expressive, their eyes large, dark, and animated, teeth white and even, and complexions browned by the sun. The same style of countenance seemed to prevail, though there were very few that could be called handsome. The dress is usually a sort of jerkin or jacket, that fits close to the body with sleeves like a shirt, a pair of drawers, and a petticoat that reaches no farther than the knees, with an opening before and behind, white stockings, high-heeled shoes, the upper part of which barely cover the toes, the quarter cut away like a morning slipper, with a kind of shawl that covers all the hair, and wraps round the head and neck. The ladies of the house had, however, arrayed themselves in their holiday suit, which, though to us ridiculously grotesque, was rich and expensive, and could not have cost less than from 150*l.* to 200*l.* each, from the profusion of gold and stones about them. Their shoes were of crimson velvet, embroidered with gold, a sharp point just covering the toes, with a very high heel, and the quarters of the shoe cut away level with the sole. Their stockings were scarlet or purple velvet, or cloth, richly worked with gold and silver flowers in devices, and padded with cotton on the inside, to fill out the small of the leg, equal in bulk to the calf, and make it look the same size from the knee to the ankle, which they consider very handsome! Their drawers and petticoat of white cotton were trimmed at the edges, round the openings before and behind with a worked gold border; their jacket and sleeves of the same. A rich stomacher of crimson or purple velvet, elegantly embroidered with gold, a fine muslin apron reaching to the knees, inlaid with lace, and bordered with gold, a muslin head-dress confined by gold worked bands, and some device of fancy forming a knot on the crown of the head. On every finger was one or more rings of gold, pearl, or stone, and round the neck were suspended gold chains, crosses, medals, and trinkets, that could not have weighed less than eighteen or twenty ounces. Some of the children of five or six years old only were dressed in this way, and appeared to feel no small degree of pride at surveying those costly trappings. I know not what opinion they could form of our ladies, whose dresses hardly exceeded one-fiftieth part of the value of theirs. Their surprise, however, was perfectly reciprocal, and they stared at each other very mutually.

I ventured to ask the old gentleman how it was, that in an island where there was so little wealth, the people could provide themselves such expensive garments; which he answered, by saying, that from their cradles to their coffins, the making of the "wedding-dress," for so he called this, formed the chief object of their pursuit. The money gained by their surplus produce was chiefly spent in this; and while their husbands and fathers (most of whom are pilots) brought them the materials from Constantinople and Smyrna, the whole of their leisure was employed in working them. Dresses, thus formed, were left from mother to daughter in endless succession, and as they were

seldom worn, yet augmented in value by every succeeding possessor, they gradually arrived at perfection. One of those worn by his granddaughter, was nearly 200 years old, and still in excellent preservation.

After dinner, it was proposed that we should visit a bride and bridegroom, who were this morning united, and witness the dancing and other festivities of the day, but just as we were on the eve of departing, a messenger arrived, saying that one of the guests being taken suddenly ill, the company had broken up out of respect to the feelings of her friends. We could not but admire the motive, though every one of the party seemed to feel the disappointment very poignantly, and more particularly the English ladies, who had promised themselves much pleasure from the novelty of the scene.

While we remained, the old man amused us with a history of the various ornaments that hung around his walls; for in every country he had visited, he had procured some curiosity, and now displayed them as trophies of his former toils. Among other things, he had a set of large brass dishes, about twelve or fifteen feet in circumference, and one foot in depth, such as were used in the antient days of Venice, from whence he brought them; and among his pictures were the death of Nelson, and a Greek painting of a female saint killing the devil with a hammer. This last was a great curiosity, as the devil was represented under a form totally different from any I had ever seen, and such as it is perfectly impossible to describe.

During the afternoon we were visited by all the town. There seemed literally to be no distinction of persons. The men came in, sat a few moments, smoked their pipes, gratified their curiosity, and then departed, followed by others in endless succession. The women came in *groups* of five or six, and the room was always crowded with children, who prattled, laughed, and seemed highly entertained.

At four we took leave of them, and descended the hill, followed by the multitude, till passing the arched gateway through which we entered, we found a troop of asses waiting for us. When the ladies were firmly seated, and all things adjusted, we commenced our procession down the mountain, and I am sure the gravest muscles would have been forced into a smile to witness such a cavalcade, if riding on asses might be so termed. Some of the man-of-war's crew led the van, and, having sacrificed freely to the jolly god, to use their own phrase, "carried a heavy press of sail." Next followed the Lieutenant, their commander, with his dogs and gun, which he brought in hopes of finding partridges; the ladies were placed in the centre, and our own party brought up the rear. Half the children in the town, at least, followed; and the alarm of the English ladies in the dangerous passes of the road—the solicitude of the gentlemen for their safety—the bawling of the Greek guides, and the shouting of the children, formed altogether a scene of the most ludicrous description.

About six we reached the beach, and from thence embarked on board our respective ships in the harbour.

On the following morning we again had early visitors, with whom

we were enabled to converse freely, having the pilot, who spoke good Italian, for our interpreter. From these we learnt many interesting particulars relative to the island, which, added to those furnished by a recollection of its history, furnished materials for the following brief sketch of its antient and present condition:—

Some centuries before Christ, Milo was a flourishing republic, but having refused its assistance to Greece, when it was invaded by the Persians, the Athenians, after repulsing the invaders, attacked the islanders, and, after several repulses, at last entirely overthrew them; when, as a punishment, all the men who had escaped the sword were carried into Attica. At the close of the Peloponnesian war, the Athenians being subdued by the Lacedemonians, Milo was restored to its liberty. It was afterwards taken by the Romans, and has ever since shared the fate of the Eastern empire; so that for some centuries the Greeks have been slaves in a country from which they often carried their arms into that of their present lords.

Tournefort, in 1700, describes the island as possessing 20,000 inhabitants; and Sutherland says, that at the commencement of that century it contained seventeen churches, and eleven chapels, and that the whole space from the town to the harbour, a distance of about two miles, was laid out in beautiful gardens. The number of inhabitants since that time, principally from the oppression of the Turks, is reduced to one-tenth part of that number at most. The churches and chapels still remain, but these, it must be understood, are the meanest little hovels that can be imagined: a room from twelve to twenty feet square, built of rough stones without cement, having a flat roof like their houses, the entrance through a door that would disgrace an English barn, the interior plastered and white-washed, a common table for an altar, on which stands a crucifix and two brass candlesticks, and five or six paltry pictures and prints, pasted or nailed to the walls without a frame. Many of these churches would not contain more than a dozen persons at once, and all that distinguishes them from the dwellings is the cross at the door. With respect to the state of cultivation, that also has fallen off with the decrease of population, and spots once fertile are now lying waste and uncultivated.

The Turkish maxims of conquest are, that the lives as well as property of their captives are for ever at their disposal, and thus the Grand Signor, as an act of grace, allords them a temporary emancipation every year—setting a price on their heads, which they must redeem by payment, or submit to the scymitar. The capitation tax varies. At present it is fifty piastres, or about two guineas, per head. Besides this, the Turks exact from them a sixth part of all their productions—cattle, corn, cotton, wine, &c.; to collect which, the Capitan Bashaw, or Turkish Admiral, pays them a visit once a year.

The inhabitants are all Greeks. A Turk would scarcely risk himself among them alone, as there are few who would not think it a merit to despatch him. They have no governor or judge; but are forbidden the use of fire-arms and ammunition, or any sort of weapon, all which they are obliged to conceal when the Turks visit them, as

to be found possessing them would most probably cost them the forfeiture of their heads.

Notwithstanding this, they live in a state of the most complete republicanism that can be imagined. Every man being his own builder and his own farmer, with the assistance of his sons, or younger brothers, raises his cotton, cattle, corn and wine, while the females of the family manufacture and make every article of apparel for both sexes, even the men's shoes of goat's skin. There is thus but little occasion for money, and debt is unknown among them. There is no one who practises any mechanic art, such as carpenter, or mason, nor is there any shop or store for vending articles of any kind. They have neither governor, judge, nor officer of any description. The priests regulate their religious affairs, and the old Antonio Mitchello, being the father of half the town, is generally arbitrator in their temporal differences, which are, however, but very few.

The climate, and the elevated situation of their town, added to an active and temperate manner of living, makes them both robust and healthy, and they appear to be extremely vivacious and good humoured, fond of singing and dancing to an excess, and, while enjoying their pipe, which they use after every meal, enlivening the dull monotony of their puffs with some witty tale.

The island itself is about fifty miles in circumference, and contains one of the finest harbours that can be imagined. It is at least fifteen miles round, nearly circular in form, and has all depths of water, from one to fifty fathoms, excellent holding ground, and so completely land-locked, that when within it, the entrance cannot be perceived; thus affording shelter from all winds, and being capable of containing in safety a thousand sail of ships at once.

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SONG—OH! HOW POOR ARE WORDS!

Oh! how poor are words  
 To paint the hues of bliss,  
 The fluttering joys warm love affords,  
 The burning kiss,  
 The pressure sweet  
 When soft hands meet,  
 The glance at parting given,  
 More bright than showery beams that greet  
 The evening heaven,  
 When sinking down with swift retreat!—

To picture memory's tears  
 O'er joys departed shed,  
 The shadows of our former years  
 That round our head  
 Hover in dreams  
 With doubtful gleams  
 Revealing life's bright spring,  
 Like glimpses caught of distant streams  
 Beneath Night's wing,  
 When twinkling planets scant their beams!

BROS.

## PLAN FOR ABOLISHING HUMAN SACRIFICES IN INDIA,

*To the Editor of the Oriental Herald.*

SIR,—I am glad to observe that you have been endeavouring to excite a little of the attention of the selfish public of England to the subject of burning widows in India. It is, indeed, high time. None of the conquerors who preceded us in that country, ever held their power by so strong a gripe as ourselves; none ever had the means we have of influencing the population: yet, in the better times of the Mohammedan government, this horrid practice of widow-burning was prohibited; while, in our day, it seems on the increase, as the printed papers show, and particularly so in the neighbourhood of the seat of our chief Government.

We are told by the "official men," here and abroad, that it would be hazardous to our empire in India, if we were plainly and effectually to put down cremation of widows, by direct regulations, enforced with the strong arm of the judicial, and if need be, of the military power. So we were told in my day by the alarmists, in respect to child-drowning at Saugor and other holy places of human sacrifice; yet Lord Wellesley, by a simple order, and the help of a havildar and twelve sepoys, put down the abomination without a murmur. That was a proof of what our *power* could effect in a good cause.

To show that persuasion, reasoning, and influence, may be equally effectual in working out a like result, we have the undeniable testimony of Colonel Walker and honest Jonathan Duncan, who severally persuaded the proudest of the proud Hindoos to give up their hereditary practice of female child-murder, rooted as it was into all their habits and prejudices, and glossed over by a mistaken notion of family honour.

Here, then, are *two* precedents—one of force, one of persuasion—in our own times, and in the same *sort* of thing as widow-burning, besides the more direct precedent afforded by the Mogul kings of Delhi, in prohibiting female sacrifices wherever they could.

But the "official gentlemen" tell us, there is a difference between child-killing and woman-killing, inasmuch as the latter is supposed to be a consenting party, while the former cannot be taken to have any will of its own. True: yet the difference in this particular is not quite so great as persons who have never been in the East, and for whose meridian this distinction is calculated, may suppose.

I am a very old "European Inhabitant," as we are contemptuously called, of Bengal, and though I never had the Company's license, yet I do not think myself a whit the worse evidence in respect of the Native character and usages. I do accordingly assure your readers, that a woman in India, ninety-nine times out of a hundred, is, without exaggeration, little better than a child; and that, in this particular act of burning themselves with their husbands' bodies, they can scarcely be said to have any will of their own.

So few are the exceptions, that it may be affirmed universally of women in the East, that they are quite infantile, silly, and uneducated; literally mere playthings and breeders. I abstain, through delicacy, from going into any detail on this point. Nothing can be more truly debased and sunk than females are, in reference to their lords and masters. To each other, they are, by natural consequence, brawlers, envious, jealous, desperadoes and cowards by turns; credulous, bigotted, and superstitious to the last degree; priest-ridden, of course, in proportion. Although a Hindoo woman is not debarred by law, like the Moosulmaunee, from showing herself out of doors, (of which freedom we see some remnants to this day among the Malrattas;) yet, in practice, there is no difference between the respective upper classes in this respect; and so perverted are their minds, through long and habitual contemplation of a thing in one point of view, that they have *really* no desire to enjoy greater freedom, and place their point of honour, indeed, in seclusion. Even a female of very middling degree piques herself on sitting behind a purdah.<sup>1</sup>

When the husband of a poor foolish woman, such as I have described, dies, look at her situation; mark the consequences in her fatal determination to destroy herself; and say, how far she is *really* a free agent.

She is beset by her male descendants and relations, who covet her share of the property, and desire to get rid of the burden of supporting her.

She is urged by her female relatives to burn for the honour of the family, and to secure posthumous reputation, by all the gossips and friends of the neighbourhood, to show herself a woman of ten thousand, the pattern of her sex, &c. &c.

The wily sleek priests are of course at her elbow, even before the breath is out of her husband's body, enjoining her to do her duty as set down in their sacred books, and to make a bonfire of herself for the glory of God and edification of the pious; to say nothing of the feasts and revels, the raiment and largesses, which fall to the lot of the holy fathers themselves on all such occasions of ceremony and *rejoicing*!

Her own reason, if she has a glimpse of that faculty, shows her but a gloomy look-forward for the rest of her life. She must never marry again; she becomes dependent for countenance and bread on others; she sinks at once from the rank of mistress of a household to the lowest condition in it, little better than the domestics; her daughters and daughters-in-law, who *were* under her authority, become her mistresses; she must fast and mortify and mourn all her days, sleeping even on the floor; she becomes, as it were, dead in society, only *known* to exist, but not recognised, by the dole of food and garments which she consumes from the store of the reluctant master and mistress of the household she once ruled. All this she has seen and knows. She has experienced the triumphs and enjoyed the insolences

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<sup>1</sup> A hanging-curtain or screen.—ED.

in her day ; and she now feels that she must suffer in turn the misery and humiliation.

To all this must be added a portion of *natural* grief for the loss of her partner ; and, in the transport of sorrow and despair excited by *all* these things working together at the first moment and burst of passion, she suffers herself to be dealt with as her family and advisers suggest. Wherein, then, does her case differ *very greatly* from that of the unconscious and unresisting child who is tossed into the Ganges to feed the sharks or crocodiles ?

Some people will smile when I ascribe the long duration of the practice of female cremation in India, to so simple a matter as that of the *latitude* ; yet true it is, nevertheless. If the climate were cold enough to permit of a body *keeping* for a week, then the poor Hindoo widow would have some leisure to think and reflect ; to see friends from a distance, or advise with such ; to estimate her ways and means ; and, above all, to weigh the sure temporal agonies of being roasted on a slow fire, against the questionable ecstasies of absorption into the divine essence, promised to her in reward for her heroism. But, unluckily, funeral obsequies must be despatched in India within a few hours of the demise.

The regulations of our Government in Bengal, though, doubtless, humanely intended, actually have a tendency to aggravate in practice this natural evil to the poor widows, of a *decomposing* climate. It is strange, but true ! When no one interfered with the broiling of widows, any more than with the gobbling up of boys by alligators, or the seething of girls almost in their mother's milk ; in those "good old times," the unfortunate widow was not so pressed and hurried to give her consent to be roasted ; a few hours sooner or later signified nothing ; but now, as the formal written permission of the European magistrate must be obtained, no time is to be lost ; especially where districts are large, and judges not always to be spoken with. Thus, as soon as the breath is out of the body, aye, even before the *mortibund* has taken his actual departure, all the family "arrangements" for the impending *festivities* are completed, "quite snug and comfortable," and the messengers forthwith despatched to the magistrate's station, to assure him of the relict's determination not to survive the dear deceased.

In discussing the facilities of putting an end to this abomination in British India, the "official gentlemen" generally confine their arguments, however they may state the question at first, to the expediency, or otherwise, of interposing the direct authority of law, supported by the executive, to forbid at once and for ever this practice.

But waving *this* view of the matter, though without admitting that widow-burning might not safely be put down at once by prohibition, how many methods of an *indirect* nature, more or less efficacious, might not a discreet government adopt, if it were really anxious to get rid of this blot on our name and nation ? It seems hard to doubt the anxiety and the sincerity of many of the gentlemen in office, all of whom seem ready enough to express *wishes* that the



practice could be got rid of. Yet somehow all these cold wishes have not advanced us one step towards the accomplishment of our object; and I cannot help doubting if ever they will, unless we keep jogging them sharply and frequently from this side of the water.

How, indeed, can we help doubting the sincerity of men, who, with such loud general professions in their mouths about enlightening and educating the people of India, and so getting rid of their absurd and ferocious superstitions, clap a gag in the people's mouths, a blind on their eyes, and cotton in their ears, by putting down all discussion, forbidding communication, breaking up printing presses, and at this time of day prohibiting this or that book, like the Jesuits' 'Index Expurgatorius.' Surely, putting out the light is no proof of a wish to enlighten; and the more suspicious it is, because the only Native, as I hear of, who had made any considerable use of the press, and who must therefore be the chief sufferer under the new "gagging bill," is that excellent Christian man, Rammohun Roy, who had practically proved, by his astonishing publications, that the fullest discussion might be freely and safely employed, even on the most tender of subjects,—religion, caste, and the abuses of the priesthood,—and even among the most ignorant and bigotted of mankind, the Hindoos.

The presumption from this anxious putting down of free debating, and of Rammohun Roy, the eloquent and learned opponent of burning, necessarily is, that the "official gentlemen" are not sincere in their liberal professions. To rebut this fair presumption, we inquire, in vain, what proofs have any of them given of their sincerity, by proposing or enacting measures for even *indirectly* discouraging viduary cremation? The answer is a blank; and we cannot easily resist the conclusion, that although there is no lack of cold good wishes for the abolition of widow-broiling; yet there is much apathy about it among Europeans in authority in India, little disposition to take trouble in such bootless matters of Quixotism, and an active dislike to innovations of any sort, in the gross, and to the public discussing of any detail questions of legislation and administration, out of the pale of their privileged service.

What, then, would I have done, if I had the power in my hands, in order to diminish and gradually to eradicate this opprobrium of our English name?

1. I would get the influential and abler members of the priesthood on my side, by assembling a conclave of those most celebrated for learning, and holding the highest offices, judicial and other, under the Government. These I would consult and talk over, joining with them at their board, Mr. Courtenay Smith, and a few such men as he, whom the Natives love and respect because of their known disinterestedness and independent spirit, their devotion to truth and justice, and their generous disposition to protect and befriend the Natives against their oppressors. Be it observed: we know, beyond doubt, from the concurrence of the first authorities, Native and European, *the important fact*, that in the oldest and purest times, the burning of widows was neither enjoined nor practised. It is an

innovation. The more, therefore, that we discuss the matter in the proposed "*assembly of divines*;" the more we push our researches into the sources of their learning and philosophy, the more certain we are of bringing about the conclusion we desire.

To the "official gentlemen," I know the bare idea of consulting or assembling a dozen of our black subjects; the faintest notion of giving them a shadow of a voice, however small, in governing themselves, will be horrifying and alarming. Not ten Europeans, of rank and influence, in India, would probably consent to demean themselves by sitting in consultation with those over whom they are accustomed to domineer and vapour. But Courtenay Smith, if he be not changed greatly since I knew him, is one of the ten: always ready to do good, never thinking of himself, or of factitious superiorities, dignities, trappings, or complexion, or the like; his only wish is to do good.

Why should our absurd white man's pride make us carry our heads so high? Sooner or later, we must come down more to a level with our dusky fellow-citizens, or they will rise to ours! Here is an occasion where the co-operation of the two—the talents, weight, and energy of the European, with the docility, learning, and influence, (over the Natives,) of the Hindoo pundits—might effect a great good to mankind with a little trouble. When an old officer, of my acquaintance, wanted his sepoy to do any thing which he thought they would dislike or reject if forced on them, he always assembled his Native officers first, proposed the thing to them, begging them to consult whether they could not meet his (or the commander-in-chief's) wishes in the point proposed, without derogating from caste. He never failed of success in any one thing he asked. So it would be with the assembly of Courtenay Smiths and Brahmins: if they pronounced an opinion condemnatory of widow-broiling, it might be put down at once by an edict, to accompany the published opinion of the conclave of doctors; but even if this assembly were *not* to issue a *decided* condemnation of the thing, still that need not hinder the Government from pursuing a number of indirect but obvious modes in its power, for discouraging and throwing impediments and disagreeables in the way of all who might be engaged in this diabolical cookery of women for the future.

2. I would pass a law, peremptorily and effectually putting down all compulsion, all aiding and abetting in the act of cremation. God forbid that I should prevent even a poor silly woman from going out of the world, if she *would* have her own way, any more than I would prevent the frequent self-immolation (which I have witnessed) of fanatics, by drowning, at Nuddea, Allahabad, and elsewhere; or of lepers *burying* themselves alive, as they frequently do. But if I was governor of Barataria, no man, woman, or even child, should be allowed to lend a *direct* helping hand, at least, to these acts of lunacy. If a woman chose to go forth to the pile where her husband's body was lying, and about to be burnt; if then, not being assisted, not bound to the body, not tied to the pile, not held down by green bamboos in bystander's hands, not surrounded and hindered from escap-

ing,—if she chose then and there to heap fuel on her own head, and set fire to it herself, I would not hinder, but only pity her. But the proper officer of justice should be bound to stand by, and see rigorous fair play; and, therefore, to attain this important object,

3. I would make it *imperative* in the magistrate of every district, or his European deputy, to be personally present at the infernal ceremony, as if it were a judicial execution; of all the particulars of which he should be bound to render an exact *proces verbal* to Government.

To be sure, there would be many a loud complaint of hardship from the “gentlemen in office;” and it is not to be denied that a journey of thirty or forty miles at an hour’s warning, (for cold meat does not keep in those warm countries,) would be no pleasant thing, in the plains of Kishenagur, or the Cossimbazar Island, in the summer solstice; but, I must confess, I look with a favourable eye to this very irksomeness and suffering, as likely to have no small effect on the practice of burning. The tannahdar or darogah of a distant spot, where a man may have died, leaving a relict ambitious of burning, would give the aspirant but *little encouragement* to solicit the great man, his master’s leave, knowing, as the astute police personage in question could not but know, (and they have a marvellous ready tact in such matters,) that the consequences would be, a most reluctant journey performed by the great man in a burning sun, cursing, all the while, the dead both in esse and in posse, and the officious darogah, who was the channel of conveying the unwelcome solicitation to “the presence.” From the returns, it would not seem that in any one place the suttees are so numerous as to make this proposed personal tax on the European judge a *very* distressing or intolerable duty. There will, however, be just enough of “*bore*” in the obligation, to give the said judge and his myrmidons a *considerable bias* against troublesome devotee-widows and their busy mercenary advisers.

4. As far as the climate permits, I would defer the ceremony of burning, and that of consent, and I would environ and clog it with sundry petty forms and difficulties.

No suttee should be allowed till twenty-four hours after the death.

Not until twelve hours after death, should the widow be allowed to express her final and fatal resolution; and this she should be required to do, *always in person*, to the Native police officer, who should *then*, and not before, be bound to forward the application, with all haste, to his chief, so that the ceremony should be over within the twenty-four hours, if possible. We shall be told that twenty-four hours is too long a period in hot weather, and that the body would be offensive, and so forth! Here is indeed straining at gnats and swallowing camels! Grant that the body is putrid to a loathsome degree, whose organs is its condition to offend? Those of the idle or culpable bystanders, for a few minutes before it is burnt, or the poor widow’s, as she embraces it for a few seconds before she and it are consumed together? Surely, if its condition is likely to affright or disgust the wretched woman from taking it in her arms, or on her lap, (*ceremonials essential in the eyes of the Brahmins*,) and if even one suttee in

one hundred is thus hindered, the gain were well worth all the noisome stenches a hundred fold in the noses of assistants and by-standers, aye, and of presiding judges to boot! Even if there be a chance that now and then the rapid progress of decay shall make the family and friends literally *sick* of waiting the prescribed time, and induce them to burn the body forthwith, to disappoint the expectant widow, I say even *this* chance is worth trying for.

5. I would take special care that no *living* creature should profit by a *dead* widow. There is, there can be, no excuse for our tolerating a state of inheritance-law, which operates as a bounty to the survivors, on the destruction of these poor, helpless, innocent and ignorant women, who are but too much stimulated already to self-destruction by religious fanaticism, false family pride, sexual enthusiasm, and natural grief. Let then a woman, *determined* on the deed, be free to burn; but let it be proclaimed that all her property, or her share of maintenance, to which, had she lived an average period, she would have been entitled, shall pass by her natural heirs, and be paid over as if an escheat, even to the uttermost farthing, to the collector of the district, to be laid out, with the knowledge and advice of a select committee of Native jurymen, in roads, bridges, tanks, wells, or ghauts; in relieving debtors, or sick in hospitals; or other *public local* purposes. My life on it, you would hear of a marvellous diminution of suttees, if you made it *nobody's* interest that widows should be fried! Only let heirs at law and residuary legatees clearly see their advantage ultimately, in letting mothers and aunts die quietly in their beds, so that jointures may continue in the family instead of being forfeited, and you will have no more of the fire and faggot system!

6. Lastly, if all this would not compass my end, I would try what the positive frowns of Government could do to discountenance these human sacrifices. I do not mean in the least that I would do any man wrong, or deny him his right, but no individual has any *right* to hold particular appointments under Government. The quantity of official patronage in the hands of the councils in India, *direct* and *indirect*, is enormous. It is of course supposed, by the theory of the system there as elsewhere, that the public good alone is consulted in the distribution of that patronage; and so it is, as frequently, perhaps, as in many better governments; still much is distributed, particularly of the lower descriptions, to gratify private partialities. I hold it to be most *legitimate* and praiseworthy, in such a system of influence and patronage, and with so great and good a public object in view, if the administration should resolve that in all competitions for public office a preference should be shown to candidates who were known to discountenance suttees, over others of opposite sentiments, or in whose families human sacrifices should have taken place subsequent to the declared abhorrence of such practices by the Government. I doubt not any such decided intimation of the sentiments of Government would speedily enough bring forward crowds of disclaimers among the myriads who are educated, or educating themselves, for public employ-

ment in all its branches and degrees, at the metropolis and in the provinces.<sup>2</sup>

Orders of merit or nobility will surely be introduced before long among our Indian fellow-subjects of all castes, by way of helping to attach them to our regimen, which God knows has little enough in it at present to allure the better class of Natives. Lord Wellesley, in my day, wanted to introduce this politic practice, but the Company's servants gave him little encouragement, or rather the reverse. Better days are at hand, if Mr. Charles Wynne comes forward with a comprehensive statesman-like plan for Native juries, on the model of that devised by the worthy Judge Johnstone in Ceylon. To be placed on the select list for jurors of a zillah or city will soon become an object of ambition, and a sort of distinction or nobility, in its way, in the Company's continent of India, just as it is found to be already in the King's island of Ceylon. In framing these lists, in granting orders of merit or rank, or other public distinctions, it might be expediently considered a *bar* in an aspirant's escutcheon, and sufficient to stopp his promotion, that SUTTER had been perpetrated in his family.

In short, Sir, where the WILL is, there, we know, the WAY is always to be *found* or *made*; and a hundred other ways of greater or less efficacy may most easily be devised to discountenance this execrable species of private *auto de fe*, if the official men sincerely desired, and would *heartily* set about it, showing *consistency*, at the same time, in their endeavours, and not quenching the *old* light of knowledge with one hand, while they bestir themselves for *new* lights (of abstruse dogmatical kind) with the other.

A few words, Sir, before I have done, in defence of what must appear shocking to many humane readers of your Journal and this epistle. I mean the use I have made of familiar levity of expression in speaking of the actual *process* used to destroy life at suttees. Every body knows that death caused by the application of fire to the living body, is so excruciating, (as we learn from the intolerable anguish of a common burn,) that language fails in the endeavour to convey what we all feel must be the inexpressible torments caused by this most cruel of all deaths. We cannot bear, even in fancy, to dwell on the agonizing pangs of our scorching flesh, our blackening bones, and starting sinews, when exposed, only in imagination, to the devouring action of fire. Even when the magnitude and fierceness of the devouring flame are supposed to extinguish life with great celerity, the thought is horrible; but much more does our living flesh creep—do our nerves shrink from their office, at the bare idea of a *lingering* death of this inexpressibly terrible kind! Even the fury of theological hatred appears often to have given way before the contemplation of such dreadful sufferings; and we read, in old Fox's Martyrs, of the frequent practice to tie a bag of gunpowder about the poor sufferers'

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<sup>2</sup> Such men as the Pandits of Bombay, whose opinions in favour of woman-murder were quoted in our last, would then very soon alter their tone.—ED.

necks, so that a speedy explosion might put an end to the mortal agony in a manner less lingering, and therefore more merciful! What a death, when THIS was mercy!! The same feeling often led to the previous strangling of witches, treasonable wives, coiners, and other unfortunate combustibles in our own early times, and of Jews and heretics in the *autos-de-fe* of later days.

Now, Sir, in this most lingering form—of this most horrible and excruciating death, have these eyes seen the SUTTEE performed in Bengal, under the nose of the metropolitan police, on the banks of the Ganges; and I believe, from comparing notes with other gentlemen, that in this most dreadful and tedious manner it is *most* frequently performed, and for this reason, that to shorten the agonies of the sufferer is and can be no object with those who believe in the certainty of this road to celestial bliss; while, in many situations, good OLD faggots are expensive,<sup>1</sup> and the prudent economist, who is to profit by the succession of the beatified widow, can have no motive (in the average of cases) for indiscreetly lavishing on the doubtful *comfort* of the dying, that which may better be bestowed on the sure enjoyments of the living.

The Suttee I speak of happened in a poor or penurious family; the pile was not bigger than five feet by four. Your Indian readers will understand me when I describe it as scarce longer or broader than the common *charpax* in use; one of which, adjusted at the top, contained the dead and the living bodies bound together *by wetted cords*, in a posture of embrace. Over this were strewed scanty billets of FRESH soundry wood, with some handfuls of straw. The *heads* of the couple being placed pretty far within, it followed that the legs of both protruded beyond the scanty pile. Two green bamboos were laid across the mass, each held down firmly by stout men, two at either end of each pole. The fire burnt with piteous slowness, but the shoutings and yellings of the surrounding demons and demoniacs prevented the shrieks of mortal agony from being heard, while the firm pressure of the bamboos, and the confinement of the cords, kept down all possible struggles, EXCEPT ONE, and that was indeed a fearful index of what was passing within the smoking and flaming heap: the poor sufferer stretched and withered her feet and ancle-joints, and her very toes; and once, as her sole touched a burning brand, she convulsively drew up her knee, as if instinctively, to escape contact with the glowing ember! The movement was visible to every body.

After this description, I need not say that my curiosity to see Suttees was quenched. It was my first spectacle of the sort, after a long sojourn in various parts of India, and my last. I sickened at the sight; and my companion, an officer of long and hard service, was almost overcome.

We sent an account of the thing to one of the newspapers of the day—the India Gazette, I think; and I remember we dwelt on the

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<sup>1</sup> Will some of our readers tell us whether fire-wood is or *was* not recently subject to a tax or *alcavala*?—ED.

horrors, both as respected the poor sufferers and the spectators, of the scanty supply of fuel; and after sharply commenting on the police authorities for permitting such a disgusting and excruciating sacrifice, suggested, that if Government did not think fit to abolish the thing altogether, they would at least allow a police regulation for the future, providing that a certain quantum of good and sufficient fuel, proportioned to the size and fatness of the person intended to be killed, estimated by cubic contents, not by weight, and of a standard dryness, should be laid in at the proposed place of execution, or good security given for the same, before leave should be granted to relatives to burn their mothers and sisters.

The censor of that day—it was fifteen years ago, I believe, at least—was the chief secretary of Government, who was *also chief of the police*. Need I say, then, that his vigilant and impartial pen carefully mutilated our letter before it was suffered to appear? Need I add, that the exuberances most sedulously pruned away were those concerning the barbarous neglect of the police, and the future securities to be desired for assuring at least the *speedy* perpetration of these licensed murderings? Does not *this* speak volumes on the subject of gagging the honest and useful public voice in India? Will Mr. Buxton and Mr. Butterworth, and their friends, who are so indignant at the *apathy* of the British Government in letting helpless widows be thus massacred—will their own *apathy*, in respect to our rule and oppression of the living in India, *now* give way, when they find how absolute power over the press can be employed in stifling the virtuous expression of public feeling in that cause, of which they are the professed and vehement advocates?

To return to myself, I have employed the words of levity; I have used a disgusting *culinary* style in speaking of this diabolical cookery of women, in order to have some chance of exciting attention, and stirring up emotions of horror and disgust, such as I feel myself, and have felt, ever since the shocking sight I witnessed so many years ago. People in England—like people elsewhere—what with habit and what with fine names, that do not carry with them any ready intelligible signification of their real plain meaning, are getting quite callous to the practice of women-burning in British India. They talk or they hear of “SUTTEES,” or even of “CREMATIONS,” or “CONCREMATIONS,” and the like, with great calmness and philosophy, when probably their hearts would sicken at the idea of a tender young female “FRIED” alive over a slow fire! It is better to call things by their right names, in my humble opinion; and if, by so doing in this letter, I add even one individual to the list of those who feel outraged, nauseated, and disgusted, by the brutal butchery of women, which is winked at, and indeed freely licensed in British India, I shall have gained my object and have done a good deed.

AN OLD INHABITANT OF BENGAL. \*

\* This phrase is quite borne out by fact. Clarified butter is used at all these burnings in considerable quantities, poured on the faggots to promote a good brisk blaze.—ED.

## ON POPE'S PASTORALS.

Entendre parler de brebis et de chèvres, des soins qu'il faut prendre de ces animaux, cela n'a rien par soi-même qui puisse plaire : ce qui plaît, c'est l'idée de tranquillité attachée à la vie de ceux qui prennent soin des brebis et des chèvres.—FONTENELLE.

Two or three questions, connected incidentally with Pope's Pastorals, and which are frequently made the subject of conversation, appear to deserve still further inquiry. These are : precocity,—the rapid fading of fancy,—and the unfitness of pastoral to interest a highly civilized people. On each of these questions, as well as on the Pastorals themselves, our remarks shall be brief, though the subjects might, perhaps, justify an extensive disquisition.

The productions of precocious genius are sure at first to be overrated by the public ; for whatever is unusual excites wonder,—an emotion, as is well known, which always obscures its own source and origin. Common sense resumes, 'tis true, its empire, in the long run, and either consigns the marvel to oblivion, (the usual consummation,) or at least, by dissipating all factitious and temporary interest, reduces it to a very unimportant thing. It is, however, too much the custom, on all occasions, to value things, not according to their intrinsic excellence, (the only thing for which they should be valued,) but for some circumstance attending their production, or connected with their author. We are shown a novel or a poem ; we read, and think it nothing extraordinary. But then some critic, or some friend to the author, starts up, and lets us know it was written by a ploughman, or by a very young boy or girl. We examine the work again, and immediately the case is altered. Thoughts and images, which we carelessly overlooked when seeking merely for the pleasure arising from beauty of composition, now assume, as the politicians say, an imposing attitude ; and we exclaim, as we go along, " How wonderful this—considering by whom it was written ! "

Mankind are doubtless very right in encouraging unfolding talent, in whatever shape it appears ; but in estimating the value of precocity, if ever, (unless we are grievously deceived,) the principle of utility should be diligently kept in sight. Were it put to us, whether we would have all the sunshine of the year, or the brightest of it, poured upon February and March, with the certainty or the risk of seeing June and July cold and gloomy, we should certainly vote for leaving things as they are. The spring of life should be like that of the year, the season of buds and blossoms, not of fruit. A boy, if properly employed, and duly impressed with a reverence for the public, will always find more delight in imbibing the ideas of others, or in being taught the secret of forming ideas for himself, than in the thought of metamorphosing his mind into a spectacle or a wonder to amuse the multitude. Genius would be indeed divine if it could anticipate education and experience, and burst forth at once complete, like



Minerva from the head of Jupiter. But as such is not the fact, precocity appears, in general, to be a kind of mortgaging of the riches of manhood, to make a flash beforehand. For among all the "wonderful" boys that have ever appeared; not one out of a hundred has continued his superiority through after-life, or left behind him any valuable monument of talent. Nevertheless, the appetite for marvel prevails, and the newspapers teem, every now and then, with an infant calculator, an infant musician, or an infant actor. The sponsors of these prodigies, who "promise and vow many things in their names," christen them, of course, magnificently; the public run to witness their feats, rumours of wonders are set on foot, money is paid, the mania grows fashionable, the marvels themselves get rich, and anon sneak willingly away into oblivion. This, to speak generally, is the history of precocity.

Upon the same principle which disposes us to be dazzled by premature capacity, we extend our admiration to other strange things. And as the complete mastery of the will is among the rarest acquisitions that man can possess, whatever appears to have resulted from it, though the effect should be entirely useless, is sure to raise in many minds a very strong degree of astonishment and wonder. We admire the people that raised the huge masses of the pyramids, from no better motives, so far as we can see, than the pleasure of piling one stone upon another. We experience the same emotion towards the Persian who employed himself for fifty years in constructing a walking-stick. It is to be regretted that the traveller from whom we learn the fact, should have forgotten the name of this Persian Job; but it appears that the stick was formed from innumerable pieces, probably of ebony, ivory, and gold, wrought like the most beautiful arabesques into exquisite designs. Undoubtedly it was a singular curiosity; but in thinking of it, the principal circumstance is the half century consumed in producing it. That a man should have got up in the morning, and gone to bed at night, with the idea of the same walking-stick in his head, for fifty years, is next door to a miracle; and perhaps the great pyramid was completed in less time than the walking-stick of Ispahan.

To do what other people cannot, or, which is much the same thing, will not do, is a sure road to notoriety. The Mohammedan saint that sat naked on the sands of Egypt, near Belbes, when Baumgarten passed that way, and Sir Charles Sedley, who was pleased to expose himself in the same condition to the populace of London, were actuated by exactly the same motive. Had the Egyptians and Londoners of those days been blind, both the saint and the baronet would have kept on their garments.

With respect to fancy, a very gloomy theory prevails: it is resembled to a flower that is beautiful in the morning, while the dews are on the ground, but which long before noon fades and withers on the stem. The simile, were it correct, would be beautiful; but happily there is no foundation for it. The utmost that can be conceded to this theory is, that in those whose imaginative powers dis-

close themselves too early, a premature decay, a shrinking and shrivelling of the leaves of fancy, may take place, as, according to Mr. Roscoe, it did in Pope even before the age of thirty-two. "By that time," says he, "the brilliancy of fancy, the blandishments of youth, and the warmth of friendship, were over." If the biographer held this strange creed of Pope only, it was paying the genius and character of our great poet a very bad compliment: if he had any thought of applying the notion generally, nothing could be more contrary to truth. When Euripides died, at the age of seventy-five, in Macedonia, one of his oldest friends declared, in his excessive grief, that could he, with many, believe man to be possessed of sentiment beyond the grave, he would instantly commit suicide to be with Euripides. So long had the warmth of friendship survived in that old Greek. But, in fact, every man's experience will furnish him with examples to refute Mr. Roscoe's doctrine. That fancy, or, more properly, imagination, does not so soon forsake the mind as the same writer imagines, is a fact which we should not have thought of proving, but for the above singular assertion. Example, however, shall stand in place of argument: Homer, according to all the traditions of antiquity, was tolerably advanced in middle life when he produced the Iliad, and the Odyssey was the work of his old age. Sophocles wrote his *Edipus Coloneus* after he had passed his eightieth year. Virgil was above forty when he commenced the *Æneid*. Milton might be termed old at the time that he was employed in writing his noblest work; and Shakspeare, allowed to have surpassed all mankind in richness of fancy, did not, according to Rowe, begin his matchless creations till he had reached that fatal time of life, in which Mr. Roscoe seems to think the brilliancy of fancy and warmth of friendship are over. To add one more example, Dryden is said to have increased in splendour of imagination as he approached the goal; or, to use Pope's phrase, "his fire, like the sun's, shined clearest towards its setting."

Let us now go on to our immediate subject, Pastoral. As every thing has two handles, it is next to certain that whatever is placed for consideration before two persons, will be taken hold of on opposite sides. Critics especially love this Janus-aspect of things. The whole mystery of their profession hinges upon it; and, not to make an exception of pastoral, they are entirely at odds on the question of its merits. A writer in a late number of the 'Quarterly Review,' having occasion incidentally to mention pastoral poetry, has the following passage:—"In a highly civilized state of society, men fix their eyes on pastoral rather to relieve them from painful scenes, than in expectation of pleasure; and finding persons, sentiments and occupations, entirely alien from their sympathies, they end in admiring the art of the poet rather than his poem; and of course turn away to find the same art employed on more congenial subjects." Relief from pain is pleasure; and if, so often as the heart aches in "highly civilized society," it could be relieved by turning to pastoral, the writer of eclogues, we imagine, would find himself in possession of a golden

pen. However, as the reviewer's "highly civilized" people get weary of relief, and have no sympathy for the sentiments and occupations of shepherds, let us hear from another critic what sort of people actually *had* such sympathy formerly, when civilization was not so very high. Rapin, who, we fear, will stand some chance of being considered a barbarian by our polished reviewer; Rapin, we say, enumerates a few of the ancient admirers of Virgil's *Bucolics*, as Augustus, Asinius Pollio, Cinna, Varius, and Cornelius Gallus; and infers from his list that there must be some inherent charm, and more than ordinary elegance, in pastoral. But, setting aside all authority whatever, why should pastoral no longer delight "highly civilized" men? What are the sentiments, pleasures, occupations, described in it, that they should be now grown out of date? The truth is, that, with the exception of ambition, every passion and sentiment natural to the human heart may properly be depicted in this kind of poetry. What does the reviewer think of love, the soul of all pastoral; is that an antiquated passion—a sentiment entirely alien from the sympathies of all "highly civilized" persons? No, all the world is not fallen into "the lean and slippered pantaloons," whatever may be the case with the reviewer. The real design of pastoral is to paint the amusements and pleasures of the country, and to embody, in suitable expressions, those rapturous feelings with which the pleasant face of nature always inspires a mind unsophisticated. Fields, woods, hills, scattered shrubs, and streams, all covered with the warm light of summer, "and all o'erspread with the soft wings of peace," demand more glowing words than prose could venture to indulge in. And we are sure we shall hardly have a single reader who has not, at one time or other of his life, longed for expressions to convey to others the beauty of scenes he has beheld. The pastoral poet creates characters sufficiently refined to enjoy such scenes, and sufficiently simple and rustic to be contented with them. He imagines them in situations in which they may naturally converse of the lovely landscapes around them, of the small events that diversify their lives, of their attachments, hopes, fears, solitudes; of their misery or happiness. In fact, pastoral is the most simple species of the drama; consisting in general of a single scene, in which characters somewhat rude develop a very inartificial action. There is no reason in the world why these characters should be shepherds, or belong to Sicilian or Arcadian rather than to English plains, or be called Menalcas, Daphnis, Hylas, Lacon, &c. in preference to Robin, Jonathan, John, and William. The topography and nomenclature of pastoral might be changed, we imagine, without altering the nature of the thing. There is no necessity to go back to the golden age for the dramatis personæ of an eclogue, nor need we prune it exactly after the fashion of Virgil or Theocritus. We are not contending for the old form of pastoral. But if compositions turning chiefly on subjects that *should* form the basis of pastoral, rural manners and rural scenery, may still be made to communicate pleasure to the most refined readers—and that they may, the celebrity of 'Walton's Angler,' the acknow-

ledged beauty of the book of *Ruth*, and of many parts of Wordsworth and Thomson, sufficiently prove—we can by no means perceive the cogency of those arguments by which the unfitness of this kind of poetry to delight a polished generation is attempted to be proved. The greater part of ‘*Gertrude of Wyoming*,’ and the part in which the most exquisite beauty is to be found, is of a pastoral nature. That it is not in the eclogue form is nothing, for if the sentiments and occupations of a village girl can in any shape give pleasure to “highly civilized” persons, pastoral may yet maintain its ground. What are Thomson’s little episodes of *Lavinia* and *Musidora*, but pastorals interwoven with description? And to quote at once the highest authority, what are the forest scenes in ‘*As You Like It*,’ and in ‘*Cymbeline*,’ but wild sweet pastorals, richer and more various than the sylvan muse had before inspired? Milton has left us one lyrical bucolic, on a melancholy subject, conceived after his own lofty manner, overflowing with enthusiasm, and decked with all those exquisite graces of language which he knew so well how to scatter over every subject. And had he written many eclogues, pastorals would have been as popular in this country as romances.

Pope, with many others, was of opinion that the shepherds of bucolic poetry ought always to be represented virtuous, and by much too simple and natural in their manners to be witty. And it was chiefly owing to the restraint which he foresaw this theory would impose upon him, that he declined accomplishing the wish of his friend Walsh, that he should write a pastoral comedy. But how he could nourish this opinion, in spite of his acquaintance with Theocritus and Virgil, few of whose swains are remarkable for virtue or for delicacy, is more than we can determine. We acknowledge candidly, however, that could we persuade ourselves the characters of pastoral ought invariably to be simple and faultless, always attacking each other with silly riddles, (like his own about the royal oak, &c.) and eternally mewling in alternate rhymes, we would willingly see a halter about the sylvan muse’s neck, to be rid at once of her drawling and impertinence.

But all good poetry makes itself at home in the country where it happens to be produced. English pastoral should describe English manners, divesting itself entirely of all classical partialities, and exercising its invention in communicating to homely sentiments and homely names an interest and a charm which nothing but poetry can give. We can see no reason, therefore, why the English bucolic poet should not choose two or three substantial farmers for the subject of his eclogues. They are very leisurable fellows occasionally, and may perchance tune a reed as sweetly as any Sicilian goat-herd. Why not? Pedlars and waggoners, persons considered hitherto as very unpoetical, and such as no fashionable muse could honourably converse with, have been conducted upon Parnassus by Wordsworth. Nor does this license in the least offend Apollo. What he blames Wordsworth for, is the remorselessness with which he murders, by trifling and prolixity, his own Doric sweetness. However, the Poet of the Lakes,

by exaggerating the rusticity of even the lowliest pastoral, and connecting it frequently with ideas of painfulness and want, and still raising it into considerable popularity, has shown, whatever may be said, that poetry, answering in kind to the bucolic of antiquity, may yet be capable of interesting and delighting the most civilized age.

The civilization which should render us less alive to the charms of nature, or to their pictures and representatives, would be a false and hollow civilization, tending to corrupt our heart no less than our taste. Genuine civilization is nothing more than a thorough knowledge of the elements of human happiness and misery, and of the means best calculated to produce the former and avert the latter. Its proper operation cannot, therefore, be to abridge our pleasures, but to purify them; and as sometimes calling off the attention from business and the pursuit of gain to scenes of rural quiet, and pictures of a happiness cheaply procured, if at all delightful, is innocently so, we think the attempt to please by pastoral should at least be made, as no detriment could possibly accrue thereby to the public.

But what then could the English pastoral poet describe? What characters could he employ? His scenery and his characters are to be found in every county in Britain: wolds and downs covered with flocks; fields strewed with yellow sheaves, or with scented hay; shepherds, husbandmen, or reapers. What more had Theocritus? To be sure there was no clergy in ancient Sicily to kidnap the tenth sheep, or put a black crook among the sheaves. If those old pagan shepherds now and then sacrificed a kid or so to Pan, they shared the feast with the god, and laid their cloth, or ate without one, on the grass about the altar. Nevertheless, there is nothing without its advantages: the bucolic poet of Great Britain possesses in the clergy and the tax-gatherer (*proli nefas!*) two new sources, added to the mil dew, rot in the sheep, &c., of complaint and sympathy. How touching would be the apostrophe of a shepherd-boy to his favourite lamb, just going to be translated to episcopal fields! *Per diis immortalibus!* the Quarterly Reviewer never thought of this.

Not to dwell, however, on the dark side of the picture, what was there in all the pastoral life more joyous and enlivening than our English harvest-home? Even an ordinary reaping day, full as it may seem of images of labour, would furnish ample matter for an eclogue. Suppose the poet to take a sketch of the field about breakfast-time: the reapers stretched along upon the thick grass by the side of a shady hedge; boys gathering nuts in the bushes; fine brunettes pouring out the foaming ale, or handing round the milk-white curds in wooden bowls; and all present full of mirth and jollity, jesting or laughing between every mouthful, or, more pastoral still, entertaining each other with songs. Rising well refreshed, and bending their merry brown faces in rows over their bright sickles, a troop of English reapers appears altogether as poetical as the most idle knot of shepherds ever beheld in Arcadia.

However, neither Pope, nor any other English writer of pastorals, has chosen to depict exactly our own country manners, amusements,

or occupations. Indeed, Pope had not lived long enough at the time he wrote his eclogues, to have made any original observations on living manners, or to be acquainted with the development of the passions in breasts untutored and unrefined. His notions of rural life, such as they were, he had almost entirely borrowed from preceding writers, whether critics or poets; and when he came to employ them in his descriptions, he found they were like the "figures dim" on Camus's bonnet, scarcely legible to the imagination. Still, as his fancy was strongly impregnated with the poetic seeds, and his judgment matured far beyond his years by well-directed study, he felt confidence in his powers of versification, and hoped to naturalize the Sicilian Muses in Windsor's shades.

From his childhood, Pope had enjoyed the advantage of conversing familiarly with men refined in their taste, witty, studious, but yet men of the world. From these he caught, with more rapidity than he could have done from books, that admirable discretion by which he governed his conduct as an author from the beginning. To them the MS. of his pastorals was submitted, and their hints and suggestions, mingled with encouragement and well-deserved praise, at once conferring power and confidence, enabled him to be more correct, and to be satisfied that he had written something worth correcting. The vicinity of his father's seat at Binfield to that of Sir William Trumbal, who had been secretary to King William, fortunately brought Pope acquainted with that gentleman, who greatly assisted his studies, and introduced him to several persons of fashion and rank. With most of these he preserved, during their lives, an uninterrupted intercourse and friendship; and when he was afterwards assailed by the legions of Grub-street, that antient asylum of criticism and dulness, he pleased himself, as well as he might, with reckoning up the illustrious names with which the memory of his youthful productions was associated:—

Granville the polite,  
And knowing Walsh, would tell me I could write;  
Well-natured Garth inflamed with early praise,  
And Congreve loved, and Swift endured my lays;  
The courtly Talbot, Somers, Sheffield read,  
Even *unlured Rochester* would nod the head,  
And St. John's sch. (great Dryden's friend before)  
With open arms received one poet more.

The correspondence he maintained with Walsh and Wycherley, on the subject of his pastorals, is more valuable by far than the pastorals themselves. There we are admitted to witness the cautious and gradual development of the poet's mind, his longings after immortality feebly veiled by modesty and borrowed indifference, his expressions, half affectation and half fire, his passionate devotion to his art, his first views of life, his affection, his enthusiasm. If it were possible to read Pope's poetry without being in love with his character, no feeling, upright heart, could ever withstand the benignity, sweetness, and virtuous earnestness of his friendly correspondence.

But to return to the Pastorals. His design being to paint the four seasons of the year, each in a separate eclogue, he naturally commences with the spring. The dedication is to Sir William Trumbal, and begins thus:

You, that too wise for pride, too good for power,  
Enjoy the glory to be great no more,  
And carrying with you all the world can boast,  
To all the world illustriously are lost !  
O, let my muse her slender reed inspire,  
Till in your native shades you tune the lyre :—

and then goes on to compare the patron to the nightingale, and the author to the thrush. Two shepherds, Daphnis and Strephon, are now introduced, and these poor fellows, having been kept wakeful by “Love and the Muse,” begin at once to be merry, and rouse each other’s musical powers by such arguments as the following :

Hear how the birds on every bloomy spray,  
With joyous music wake the dawning day !  
Why sit we mute, when early linnets sing,  
When warbling Philomel salutes the spring ?  
Why sit we sad when Phosphor shines so clear,  
And lavish *Nature paints the purple year* ?

Strephon knowing no “cause or just impediment” why they should not be musical as well as the linnets, replies—

Sing then, and Damon shall attend the strain, &c.

And they proceed, alternately chanting four lines apiece, to the end of the chapter. The last line of Daphnis’s invitation contains a pretty imitation of the following lines of the *Pervigilium Veneris* :

*Ipsa gemmis purpurantem  
Pungit annum floribus.*

With flowery gems she paints the purpling year.

Excepting the musical flow of the verses, there is very little to praise in this eclogue. The sentiments and images, where they are not poor, are hackneyed, and the riddles with which the shepherds puzzle each other are perfectly absurd. Having contended a good while on the comparative beauty of their mistresses, Strephon exclaims—

Say, shepherd say, in what *glad soil* appears  
A *wondrous tree* that *sacred monarchs* bears ?  
Tell me but this, and I’ll disclaim the prize,  
And give the conquest to thy Sylvia’s eyes.

But Daphnis, being also big with a riddle, and apparently weary of his mistress, replies—

Nay, tell me first in what more happy fields  
The thistle springs, to which the lily yields ?  
And then a nobler prize I will resign,  
*For Sylvia, charming Sylvia, shall be thine !*

And these wretched contrivances were framed after classical models,

for Virgil has two riddles every whit as stupid as Pope's. But do we read the antients only to copy their imperfections? Another imitation of the same writer in this pastoral is good, but inferior to the original:

Me gentle Delia beckons from the plain,  
Then, hid in shades, eludes her eager swain;  
But feigns a laugh to see me search around,  
And by that laugh the willing fair is found.

Malo me Galatea petit, lasciva puella,  
*Et fugit ad salices, sed se cupit ante videri.*

On this passage, we shall copy a remark of Fontenelle: "Rien n'est plus agréable que des faits exposés de manière qu'ils portent leur reflexion avec eux. Tel est ce trait admirable de Virgile. Le Berger ne vous dit point quel est le dessein de Galatée, quoi qu'il le sente parfaitement bien; mais il a été frappé de l'action, et selon qu'il la vous représente, il est impossible que vous n'en deviniez le dessein."

Summer, the second pastoral, is much superior, and the lines in which the poet addresses Dr. Garth are very fine:

Accept, O Garth, the muse's early lays,  
That adds this wreath of ivy to thy bays;  
Hear what from love unpractised hearts endure,  
From love, the sole disease thou can'st not cure.

What an admirable compliment to a physician! In this eclogue, as in the second of Virgil, an unsuccessful lover bewails his misfortunes, and to do him justice, his grief runs trippingly on the tongue. But here, as before, the best ideas—the descent of the pastoral flute, and the passionate wish to be changed, even into an inferior being, to enjoy the privilege of being near the beloved object—are borrowed:

That flute is mine, which Colin's tuneful breath  
Inspired when living, and bequeathed in death;  
He said, "Alexis, take this pipe, the same  
That taught the groves my Rosalinda's name."—POPE.

Est mihi disparibus septum compacta sicutis  
Fistula, Dametas dono mihi quam dedit olim,  
Et dixit moriens, Te nunc habet ista secundum.—VIRGIL.

Oh! were I made by some transforming power,  
The captive bird that sings within thy bower!  
Then might my voice thy listening ears employ,  
And I those kisses he receives enjoy.—POPE.

Some God transform me, by his heavenly power,  
Even to a bee, to buzz within your bower,  
The winding ivy chaplet to invade,  
And folded fern that your fair forehead shade.

THEOCRITUS.—DRYDEN.

The following is Pope's imitation of a fine verse of Virgil's:

The mossy fountains, and the green retreats.

The Latin is—

Muscosi fontes, et somno mollior herba.



Which Dryden has turned into—

Ye mossy springs, *inviting easy sleep,*  
where all the beauty of the exquisite simile is lost.  
The thought originated, it seems, with Theocritus :

*Πορφυρεοὶ δὲ ταπητῆς ἄνω, μαλακωτεροὶ ὕπνω.*

On purple carpets, softer far than sleep.

And Shakspeare, to whom all images were familiar, has a similar expression :

But I am weaker than a woman's tear,

*Tamer than sleep.*

The third pastoral is remarkably spiritless, and has scarcely any fine verses, excepting the dedication to Wycherley :

Thou, whom the Nine with Plautus' wit inspire,  
The art of Terence, and Menander's fire;  
Whose sense instructs us, and whose humour charms,  
Whose judgment sways us, and whose spirit warms!  
Oh ! skill'd in nature ! see the hearts of swains,  
Their attless passions, and their tender pangs.

There is one line, however, so exquisitely flowing and musical, that its sweetness may be compared to that of the most melodious in Virgil—

And Delia's name and Doris filled the grove.

*Formosam resonare doces Amarillida silvas.*

The following, too, have merit, as they give rise to rural associations, though they are at variance with the notions of the critics, who would keep out of sight all idea of pain and weariness :

While lab'ring oxen, *spent with toil and heat,*  
*In their loose traces from the field retreat ;*  
While curling smokes from village tops are seen,  
And the fleet shades glide o'er the dusky green.

The fourth pastoral, to which, at the request of Walsh, the author gave the form of a Dirge, has more poetry in it and feeling than any of the others.—Two shepherds, watching their flocks at midnight, in a grove, behold the moon rising serenely in the wintry sky, and to shorten the tediousness of night, propose to celebrate the praise of Daphne (Mrs. Tempest). The dead of night is very finely marked in the first of these lines—

*Now sleeping flocks on their soft fleeces lie,*  
The moon, serene in glory, mounts the sky.

And the wintry season in these,

Behold the groves that shine with silver frost,  
Their beauty withered, and their verdure lost.

In the first eclogue of the 'Shepherd's Calendar,' in the apostrophe of the shepherd to the wintry ground, there are lines which Pope had in his eye when writing this pastoral :

Whilome thy fresh spring flowered, and after hasted  
*'Thy summer proud, with daffodillies dight.*

Yon naked trees, whose shady leaves are lost,  
Wherein the birds were wont to build their bower,  
And now are clothed with moss and hoary frost,  
Instead of blooms, wherewith your buds did flower.

There is no occasion, however, to multiply quotations: the general characteristics of the four eclogues are poverty and feebleness of conception, vagueness of expression, absence of passion, want of original imagery. Like many other inferior productions, they are preserved by being associated with works whose seeds of immortality are in themselves; and if they serve to excite industry and application in youth, there may be utility in their conservation. Otherwise, they might very well be omitted in future editions of Pope.

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TO A STAR,

*Which Shines in at Night through my Bed-room Window.*

Hail, holy watcher of the night!  
Whose ray my pillow visits still,  
As oft as Day withdraws her light  
Beyond the far Atlantic hill.  
How sweet thy twinkling golden beam  
Through night's unclouded ether strays,  
To touch, perhaps, dull lids that dream  
Well pleased of Mammon's brighter rays.

Wert thou among the starry hosts  
To whom the Persian bent his knee?  
Thou wert, for heaven's bright host affords  
No fiery power could rival thee!  
And still the shepherd wild, that dips  
His foot in old Euphrates' flood,  
Whatever accents rule his lips,  
In heart, adores thee still as God!

For when the sun, thy kindred, rears  
His golden locks above the main,  
With prostrate brow the King appears  
In open tent on Sinai's plain.  
And when through Winter's cloudy roof  
Thy struggling ray bursts brightly forth,  
He deems that danger, far aloof,  
Lies hid in caverns of the north.

And I, bright star! adore thee too,  
Whose light doth kiss my eyes so oft.  
No beauty bathed in Cyprian dew,  
With cheek as cygnet's bosom soft,  
Nor beacon on some rocky height,  
Guiding to safety o'er the billow,  
E'er touched the heart with more delight,  
Than thou, bright-shining on my pillow!

BROX.

PROGRESS OF THE BURMESE WAR—CAMPAIGNS IN

1824-25.

*Second Article.*

THE extent of the task which we have undertaken, in laying before the British Public the connected events of this war, in the present series of articles, will not admit of much introductory discussion when entering on the operations of this season. Should the strain in which we commented on the numerous blunders that marked the commencement of this war, lead to an inference that we aimed, by their exposure, to proclaim the incapacity of Lord Amherst's government, we enter our disclaimer against any such inference, and define the aim of these our labours to be, 1st, To give our strictures a practical value, by laying bare the defective and erroneous points which deface our system of foreign and military policy in India; and 2dly, To produce the nearest possible approximation to a correct and impartial narrative of the events of the war now raging there.

The absence of the Commander-in-Chief from Calcutta, when war was forced on the Bengal Government, necessarily threw all the early arrangements into the hands of the authorities on the spot; with Sir Edward Paget, therefore, praise or censure for past results cannot rest; but on him will fall the highest measure of responsibility in the present campaigns. The Government feeling, perhaps, its inability, or, in compliment to the high office of Commander-in-Chief, placed the most ample resources in Sir Edward Paget's hands, not even reserving an efficient check on expenditure connected with the prosecution of the war. Such a degree of confidence is novel, if not unprecedented, in the annals of India; and a general interest was created in the issue of the plans and development of resources by a Commander-in-Chief, vested with a power of unlimited expenditure. To the military body the success of the experiment was important, as involving a future and more general application of the principle it embraced.

The first indication of a change in the conduct of the war followed the disaster at Ramoo. When alarm for the safety of Calcutta was ripe, the Commander-in-Chief, it is believed, under the influence of the counsels of Commodore Hayes, of the Honourable Company's marine, and his Majesty's Quartermaster-General, set on foot a very extensive flotilla, or gun-boat establishment, which was to cruise on the Salt Lake, east of the city, and by ranging through the Sunderbunds, or Delta, between Calcutta and Dacca, to preserve our firesides from molestation. There never was an enemy likely to afford employment to this military marine; and as it soon became obvious that this Catamaran project was useless for home defence, the flotilla was apportioned to the forces about to invade Assam, Cachar, and Arracan. With the latter army such an establishment was judicious;

though, had the equipment been directed *exclusively* to fitness for the transport of troops and supplies across the estuaries and large rivers which impede an advance into Arracan, instead of to the calibre <sup>1</sup> and quantum of artillery it was to carry, this flotilla would have proved far less expensive,<sup>2</sup> and certainly more useful.

The principal features in the Commander-in-Chief's plan for the prosecution of the war, were, to complete the conquest of Assam; to recruit the exhausted and crippled force at Rangoon under Sir A. Campbell, by reinforcements from Madras, Bombay, and Ceylon, so that this army might act a substantive part in the general plan of operations; and from Bengal to penetrate the Ava dominions by Cachar and Arracan. For the latter purposes, upwards of 30,000 men, of all arms, were collected in Bengal. The lines of operation from Cachar, Arracan, and Rangoon, were all directed on Amereapoor, the capital of the Burmese empire. The mutiny<sup>3</sup> at Barrack-

<sup>1</sup> Upwards of 190 *great guns*, according to Commodore Hayes's report.

<sup>2</sup> This branch of expenditure does not, up to the latest date from India, (August 1825,) fall short of *eleven or twelve lacs of rupees, exclusive of the expenses of building and purchasing the boats.*

<sup>3</sup> A recent communication from India affords matter for a note, with reference to this mutiny, or rather to the debates in Parliament, on Mr. Joseph Hume's motion, 24th March 1825, for certain despatches touching the organization of the Indian army. Our Correspondent observes, the mass of general ignorance and misinformation which pervaded the speeches on this occasion, excited in India a general feeling of either pity or contempt. The efforts of those Members who called for information on erroneous data, and the warm expressions of other Members, who uttered, on the spur of the occasion, what their feelings dictated, may be excused; but can it be true that the grave, the respectable President of the India Board, used such expressions as the following? *viz.* :

"That in the administration of so vast a country, containing so many millions of inhabitants, at so great a distance, and under such peculiar circumstances, a *very large discretion* must be allowed in the execution of any orders, when it is considered," &c. &c. And again - "In such a case, the man must be blind who did not perceive that a *large discretion* must be left to the Governor-General, to adapt himself to any new circumstances that may arise." Following this course of argument, the Indian Minister is made to observe to the House :

"But though the orders sent out" (25th November 1823, for the reorganization of the Indian army) "WERE CARRIED INTO EXECUTION, there was not a single representation *made against* ANY OF THEM, unless the separation into *two battalions* of what had before formed one regiment. Of complaints of this kind, only five or six had been received; and with those exceptions, there was in the representations not the slightest appearance of discontent." If such words were uttered by Mr. Wynne, it may be asserted that they contain wilful deceptions, or that they are, at least, words that deceive, "that palter with us in a double sense," and lead to conclusions totally false or erroneous. They were uttered to answer a temporary purpose; and the hollow plea of a vindication of Lord Amherst, while both that nobleman and his Government are basely traduced by such inferences, calls aloud for exposure. If the extracts quoted be strictly interpreted, they imply, 1st, That the despatch of the 25th November 1823 was to be acted on, under the *large discretionary* power vested in the local Government. 2dly, That Lord Amherst and his coadjutors did exercise this power, and then gave *complete effect* to the Court's orders. And lastly, That the orders of the Court were

poor, on the 1st November 1824, occasioned delay in moving the Bengal contingents to their several points of rendezvous, if it did not, at this late period, create an alteration in the plan of the campaigns. It is beyond the scope of this article to dilate on this unhappy mutiny, further than to point to it as necessarily suspending the completion

carried into execution, to the gratification of the European officers of the army, and without any bad effect on the Native soldiery.

To answer these inferences in the order in which they are thus placed, be it known, that in lieu of this discretionary power, the peroration to the Honourable Court's despatch of the 25th November 1823, *dared* the local Government, *at their peril*, to decline giving immediate effect to the orders it conveyed. This mandatory and infallible doctrine received the approval, in 1823, of Mr. C. W. Wynne, who, in 1825, has optics so clear, that he is stated to laud "very large discretionary power." The second inference is conceded; Lord Amherst and the local Government did, most disobediently, exercise their discretion, although on too limited a scale. The last inference and its consequences are equally unfounded in fact with the first. The orders sent out WERE NOT CARRIED INTO EFFECT, or, to speak correctly, they were very partially acted on. The army, as a body, were *very dissatisfied* with the new organization; and if the Barrackpore mutiny did not actually spring from the partial effect given to the Court's orders, the consummation of discontent, by an open violation of allegiance and discipline, was ensured by this ill-advised reorganization. It is for Mr. Wynne to reconcile such direct contradictions; the Court's orders of November 1823 were discussed in Council in May 1824, and the President of the Indian Board must, therefore, have known the results in March 1825.

Lord Amherst and the local Government are entitled to infinite credit for *daring* to suspend the greater part of the measures of reorganization in the very teeth of the *peril* paragraph; and common honesty demands, that the benefits flowing from the measures of suspension be proclaimed:

Were *three* of the dearest stations in all India made half-batta stations?

Was the contingent allowance of fifty rupees a month granted to captains of troops and companies reduced to thirty rupees?

Was the contract for cavalry contingencies taken from officers, companies, troops, and the supply of the articles transferred to the Commissariat, while their care and preservation rested with troop-officers?

Were local and provincial officers deprived of their off-reckonings?

Was the Quartermaster-General's department, one of the most essential branches of the general staff, (already inefficient,) further reduced?

Were the allowances of all the personal, division, and regimental staff, reduced to the Court's scale?

To these, and many other such questions, the answer is, No! And the merit of the negative,—great indeed, it is too at the present crisis—is due to Lord Amherst and the local Government, who were not the silly tools that the Court's mandate would have made them. Had the whole of the measures of reorganization taken effect, discontents loud and deep, nay, overt acts also, might, perchance, have superseded "representations." It is deeply to be lamented, that the formation of regiments of two battalions into distinct regiments, had not also been rejected; for the adoption of this measure removed all the officers from the men whom they had long commanded, and thus broke the attachment of the Native soldier to his European officer; leaving the seeds of discontent to germinate, uncontrolled by attachment, confidence, or respect. This is the bad effect which the reorganization produced on the Native soldiery. A boon was conferred on the Native soldier by the abolition of the half-mounting system; and the sum of this advantage may be estimated at about three annas (fourpence farthing) a month to each man. The emolument formerly derived from this source by commanding-officers

of arrangements for opening the campaigns. As such a contingency could not in reason be expected to enter into Sir E. Paget's calculations, its effects should not be permitted to subtract from any merit to which his measures might otherwise seem entitled.

of corps, is made up to them by a rate of command-money, now paid by the state.

Thus far, as a general comment on what is said to have fallen from the President of the Board of Control; but to avoid the charge of a mere dogmatical opinion on the discontents of the army, (European officers,) some further notice is indispensable. From Mr. Wynne's observations, it might almost be imagined that the new organization was put to the vote before it became law. As this could not happen, Mr. Wynne should have explained the channel by which the sentiments of the officers could reach their superiors, either at home or in India, after the orders were promulgated. The only legal mode is by personal and individual memorial; a course not hastily followed, because such appeals against the decrees of the Honourable Court and its Governments are generally received as indicating a contumacious opposition to lawful authority, and therefore entail on the daring appellant *disfavour*, should he escape the crown of martyrdom in the cause advocated. The new arrangements were bottomed on a system of general retrenchment; and if the Court, by its orders, inflicted on itself any additional charge, the boon fell exclusively on the officers of the Madras and Bombay army. In Bengal, no class of officers had a farthing added to their allowances or emoluments; but had not Lord Amherst and the local Government interposed, every officer would have been a severe sufferer by the new organization. The harsh character of these measures of retrenchment may be imagined from the fact, that a *new and moderate (if not a timid)* Government ventured to disobey the peremptory decree! What shall be said for the candour, nay, for the honesty, of the representation, that the officers were satisfied with the Court's orders of retrenchment; advanced as this deduction is, by one who *knew* that the local Government of India had only rendered the decree palatable, by dropping the most obnoxious and oppressive articles of retrenchment?

A more shallow imposition than the reorganization of regiments, was never attempted to be palmed, *as a favour*, on any body of men; with exception of the *reduction* of one lieutenant, and in his stead placing one *additional* captain in each regiment, there is not a shadow of advantage afforded. That an army having subalterns of upwards of twenty years' standing, required such relief, had long been admitted. The other portion of this famed measure can only be characterised as a piece of trickery, by which the great prize (colonelcy of a regiment) was reduced in value, to increase the *non-retiring* class of officers, and thereby diminish the proportion of the *retiring* class (the lieutenant-colonels). These *were* in a proportion of *two* lieutenant-colonels to *one* colonelcy, (the grand prize in this lottery,) but *are now equal*. Lieutenant-colonels will henceforth have more temptation to hold fast the service for this step. It was this effect, perhaps, that led the Court to innovate; and unquestionably this effect will diminish, if it should not completely neutralise, the vaunted advantage of more rapid promotion, caused by the actual augmentation, amounting to half a colonel to each regiment. An ensign entering the service, may now attain the rank of captain within twenty years; but he will not be colonel of a regiment under forty-five years, and will then meet an inadequate reward for so many years of toil in a foreign country.

So far from general satisfaction, there is a general feeling of discontent at these arrangements; even the dazzle of a few promotions in the higher grades could not conceal the true intent and bearing of these arrangements on the body of the service. Officers of twenty-five or thirty years' standing are justly disappointed at the ruinous reduction of the annuity that was to cheer their close of life, and the destruction of hopes so long fostered. There

We will now proceed with our narrative, following the order observed in the campaign of 1824.

*Campaign of 1824-25 in Assam.*

The operations of the last campaign closed in this quarter with the relinquishment of our advanced positions at Kulliarbar, falling back upwards of 100 miles to Gowahutty, the capital of Lower Assam. Brigadier Richards's reasons for the adoption of this measure have been already stated; and though they certainly prove the expediency of a retreat, yet the proceeding was calculated to throw a shade over our hitherto successful warfare in Assam, which must tend to augment the resistance and difficulties in the present campaign. The ability of the Commissariat to subsist troops in so distant a point up the Burrampootra as Kulliarbar, should have been duly weighed before Brigadier Richards fixed his head-quarters, and cantoned the largest proportion of his troops there.

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are some officers who, after forty years of servitude, will now come on the reduced scale of colonels' off-reckonings. The officers whose rank places them beyond reach of the baneful effects of the new system, have been known to express unfavourable opinions of the reorganization, which has, in short, no advocates but with men of property, who were about to retire on a lieutenant-colonel's pension, and were saved from doing this good to the service by a sudden and unexpected rise to the grade of lieutenant-colonel commandant, (a fictitious grade without rank, now known only in the Indian army, applied originally to prevent *one* instance of actual supercession to officers in his Majesty's service, but continued, although promotion to a lieutenant-colonelcy\* is *slow* in the Company's, and *rapid* in his Majesty's service,) which enables them to reside permanently in Europe on the allowances of a regimental colonel, in which grade there is no retirement but to the grave. That officers so situated will join in Mr. Wynne's view of the new organization, cannot be questioned; but they are units in the service.

Tempting as a deeper analysis of the reorganization arrangements may be, it is time to take leave of Mr. Wynne, who may, at the distance of 10,000 miles from a reply, gloss over measures intended to reduce the hard earnings of Indian officers, at the same time that the tide of conquest is hourly widening their field of service, and exhausting their scanty finances by increased wear and tear of expensive equipments.

\* To elucidate this assertion, the instance of the senior Lieutenant-Colonel of his Majesty's and of the Company's army, at present in Bengal, is quoted, viz.: Lieutenant-Colonel Commandant G. Carpenter, a Cadet of 1781, (*an older officer than any major-general in his Majesty's army*), a Captain of 1796, Major of 1805, and Lieutenant-Colonel, 30th October 1811, is restricted from holding the army rank of colonel, although attained by actual regimental promotion on 29th April 1823, because his Majesty has not issued a brevet of colonel for the year 1811; and his admission, therefore, to the rank of colonel in the army would supersede Lieutenant-Colonel Michael McCreagh, of his Majesty's 13th foot, a Major of 1809, but a Lieutenant-Colonel of 3d October 1811, twenty-seven days prior to Colonel Carpenter's commission in *that grade only*, though Colonel McCreagh was, in all probability, not born when Colonel C. entered the army. Let it not be supposed that this is a selected instance; for the next twenty officers on the list of lieutenant-colonels in Bengal, are equal, and some even stronger, proofs of the hardship inflicted by the Regulation of the Court of Directors, 23d December 1806, which ensures the permanent supercession of Company's officers by those of the Royal army; and thus changes a remedy against *slow regimental promotion*, into a bar to the enjoyment of rank actually attained!

Had the force retired into monsoon quarters at Gowahutty, immediately after the successes in May had driven the Burmese into Upper Assam, much of the unfavourable impression created by a retreat in July, would have been avoided, and the heavy losses in cattle and baggage been spared to the state and to individuals. A permanent arrangement for the occupation of Kulliarbar on a *small* scale, by the selection of a strong defensive position, was practicable; and the resources of the Commissariat would assuredly enable it to provision the small detachment so situated, until a return of the season for resuming operations against Upper Assam. A secondary, and not unimportant consequence of the retreat, was, that it compelled movements in this campaign *while season* was yet unfavourable, and *before* the whole of the troops could be assembled for a vigorous prosecution of the war. The force at Brigadier Richards's disposal for the campaign was as follows, *viz.*: artillery detail, four brigades six-pounders, two howitzers, and flotilla artillery; detachment of irregular cavalry; 46th and 57th regiments Native infantry; the Rungpoor and Dinapoor local battalions, and a wing of the Chumparun local battalion. The 46th Native infantry and Rungpoor corps were incomplete, until drafts for the former arrived from the Presidency, and the detachment of the latter from Sylhet, which did not happen until active operations had ceased. In the end of November 1824, when the 57th regiment Native infantry reached Gowahutty, the force was about 3000 effective men; and after the drafts, &c., had joined, in February 1825, at 3500 men.

When estimating the force available for active operations, a considerable deduction must be made from these totals, to provide for the occupation of the several posts established for cantonments, and for keeping open the communication with the Bengal provinces.

The political control continued vested in Mr. D. Scott; but Brigadier Richards was latterly nominated as a junior Commissioner with Mr. Scott.

19th Oct. 1824.—The Burmese, after our retreat, re-occupied Kulliarbar, Nouyarganee Raha Chokey, from whence parties were pushing into Cachar. To check these incursions, Major Cooper, who was stationed at Mungle Dye, thirty miles above Gowahutty, was directed to proceed by water to Kulliarbar, with four gun-boats and his wing of the Chumparun light infantry; while Major Waters, accompanied by Lieutenant Neuville, Deputy Adjutant Quartermaster-General, was ordered from Gowahutty up the Burampootra, with a flotilla and part of the Dinapoor battalion, to Raha Chokey and Noagaong.

Oct. 31.—Major Cooper reached his destination; and two days after, a small party, under Lieutenant Watson, surprised a body of Burmese at Dikeree. This, and several other petty affairs, in which the Chumparun light infantry had previously been successfully engaged, relieved the country in this vicinity from the presence of any enemy.

Major Waters, guided by Lieutenant Neuville, yesterday landed



with 100 men of his corps, and, by a rapid march, succeeded in surprising a party of the enemy near Hautgaon; this move embraced a march of thirty-five miles in incessant rain, through an inundated country.

Nov. 2.—Major Waters, continuing his route up the Kullung river, again succeeded in surprising the enemy at Raha Chokey. Landing two miles below with 100 men, half was placed under Lieutenants Neufville and Jones; with the other half, Major W. made a detour; so that when the enemy was surprised by the first party, his flight was intercepted and considerable loss inflicted, without any on the part of the assailants.

Nov. 3.—The Boora, or Mogaum Raja, the Burmese Governor in Assam, intending, it was reported, to evacuate Noagaong, and operate a retreat into Munnipoor, Major Waters left part of his small force to protect the fleet, and with the rest made a march of twenty-five miles, when he bivouacked for the night.

Nov. 4.—Broke up this bivouack at day-break, and made the stockades at Noagaong; from which the enemy retired so hastily, that he left all his baggage, plunder, and stores, including twenty iron guns, and three war-boats. From the state of the huts in the stockades around Noagaong, it was supposed the Boora Raja had 1200 or 1300 fighting men. These successes of Majors Cooper and Waters restored the troops to the positions lost by the retreat in July last.

Nov. 25.—The 57th regiment Native infantry reached Brigadier Richards's head-quarters at Gowahutty, when the 46th regiment Native infantry was ordered to move by water up to Kulliabar.

Nov. 29.—Captain McLeod, with the flotilla, stores, and his corps, the Rungpoor battalion, also proceeded to Kulliabar.

Dec. 3.—Brigadier Richards, having pushed on the principal part of his force towards Upper Assam, by water, marched with the head-quarters, 57th Native infantry, and public cattle, for Kulliabar; whence operations were to be directed against Rungpoor, the capital of Upper Assam. The great bar to rapid and inland movements lay in the scanty supply of carriage; the principal resource being in water-transport, ill adapted to facilitate operations against many of the least accessible points of attack.

Dec. 27.—Brigadier Richards advanced from Kulliabar, the 57th Native infantry and Dinapoor locals by land; the 46th Native infantry, Rungpoor locals, flotilla, and commissariat stores, by water. The number of store-boats caused the progress to be very slow.

Jan. 6, 1825.—Brigadier Richards established, without molestation, his head-quarters at Maura Mookh, fifty miles above Kulliabar, and sixty miles distant from Rungpoor. At Kulliabar, Major Cooper, with the Chumparun detachment, was stationed. The force at Maura Mookh consisted of artillery, flotilla, irregular cavalry, 46th and 57th regiments Native infantry, and Dinapoor and Rungpoor corps. A party of the enemy, three miles distant, was driven off, but it fled too rapidly to sustain loss.

Preparatory to a further advance, arrangements were made to clear the country on the flank and rear. A small party was detached south-west to Marunghee; Captain M'Leod, with 200 men of his corps, to Kutcherree Hath, and Kuleeana, to the southward; Captain Waldron, with 150 men, 46th regiment Native infantry, to Deorguroo; Captain Martin, with two companies 57th Native infantry, to Deorgaum; and Lieutenant Jones, with 100 men 57th Native infantry, to Dodurallee, a central place on the line of retreat on Rungpoor, from the south and south-west posts of the enemy.

Jan. 10.—Captain Martin, conducted by Lieutenant Neufville, Deputy-Assistant Quartermaster-General, after a march of nineteen miles, reached Deorgaum at one A.M.; but the enemy was prepared against surprise, and left the stockades on one side as our troops entered on the opposite, escaping with little loss.

Captain Waldron was at Deorguroo on the 9th, and next day came up with the enemy at a stockade, sixteen miles distant from it. This was carried by assault, killing the Phokun, or chief, and twenty men.

Captain M'Leod cut up some small parties on his route to Kutcherree Hath, which the enemy had abandoned, flying towards Dodurallee. Captain M. was, however, fortunate enough to fall in with and cut up the fugitives from Captain Waldron's force.

These measures cleared the country, and drove the enemy on Jurhaut, which was also abandoned, after burning the stockades, &c., to concentrate at Rungpoor, the capital, to the number of 2000 men, under Saum Phokun, and other chiefs, who were said to have put to death the Boora Raja and his son.

Jan. 16.—The Dinapoor corps, under Major Waters, reached Jurhaut, having been moved forward on the report of its evacuation. Large supplies of grain, &c., taken, but these the inhabitants were secreting.

Jan. 17.—Brigadier Richards, who had continued to advance, halted within ten miles of Jurhaut, at the mouth of the Dessung river. Here a general attack on the fleet and camp was rumoured: precautions were taken, but no enemy ever appeared.

Jan. 18.—The head-quarters joined the advance at Jurhaut, while Captain M'Leod, with the fleet, was making slow progress against the currents and shallows towards the Dhekun river, whose mouth is only fourteen miles from Rungpoor. From this date to the 26th, the movements were impeded, and the troops suffered from the rain that fell daily.

Jan. 21.—The fleet and stores, under Captain M'Leod, reached the Dhekun river, which proved too shallow to admit a nearer approach than fourteen miles from Rungpoor. No enemy had been seen by the fleet.

Jan. 22.—Brigadier Richards moved from Jurhaut. The enemy quitted the stockades at Millung.

Jan. 24.—Encamped at Phoolpanee Singra; the enemy still retiring as the force advanced.

Jan. 25.—Encamped at Gowrie Saugor, on the Dhekun river, within eight miles of Rungpoor. Captain M'Leod reached the camp this afternoon with his corps, having been ordered to leave the fleet under Captain Horseburgh with the left wing 46th Native infantry. All the public cattle detached to bring from the fleet two howitzers, two twelve-pounders, ammunition, and supplies.

Jan. 26.—Lieutenant Neufville, Deputy-Assistant Quartermaster-General, conducted a reconnoissance close up to Rungpoor, and gained an outwork, crossing the road before discovery. The fort was so buried in woods and marshes, that little could be traced of the nature of its defences.

The Rungpoor light infantry, under Captain M'Leod, was advanced about one mile from the camp, to establish a post on a bridge which intersected the high road to Rungpoor.

Jan. 27.—At eleven A. M. the enemy made a brisk and unexpected attack on Captain M'Leod's position; the troops and followers who were cooking beyond the bridge, made such a rush on the first alarm, that a few of the enemy actually gained a footing on the bridge before the picquet could act; but the Burmese gave ground on the first fire from the picquet. Captain M'Leod placed his men under cover, and remained on the defensive; Brigadier Richards soon arrived, but would not order any movement until it was clear that the enemy had no other object of attack. During this interval, the Burmese kept up a smart fire and constant yelling from the high grass jungle, which concealed their numbers and position; taking courage at the pause, a party of Burmese was pushed on the road, across which they rapidly threw up a retrenchment to command the bridge; the enemy suffered from our firing during this operation; when finished, Brigadier Richards directed Captain M'Leod to move to the assault; an order briskly obeyed; the Burmese delivered two unsteady volleys, and fled, pursued by the Rungpoor light infantry for three miles; the poney cavalry, led by Lieutenant Brooke of the commissariat, did execution, and completed the route. Arms, accoutrements, &c., were thrown aside to facilitate escape. Our loss was, Lieutenant Kennedy and a few sepoy wounded.

Jan. 28.—Last night the guns and howitzers reached the camp, escorted by four companies 46th regiment Native infantry, only 180 strong. Provisions were issued, and an advance on Rungpoor arranged.

Jan. 29.—The force moved at seven A. M., led by the detachment 46th Native infantry, supported by the irregular cavalry; the howitzers drawn by, and the two twelve-pound carronades carried on elephants. At eleven A. M. the advance came on the enemy's outworks, from which a fire was opened; and the 46th Native infantry, instead of attempting an assault, diverged right and left into the jungles. The howitzers opened a few rounds, when the 57th Native infantry carried the breastwork, or stockade, in gallant style, and the enemy hastily retreated to the fort of Rungpoor. The delay, however, caused much loss: Brigadier Richards and Lieutenant Brook, twenty-

eight men 46th Native infantry, and nineteen men 57th Native infantry, were here wounded; generally spike wounds in the feet from bamboo stakes. The loss of the enemy could not be ascertained in so close a country. Brigadier Richards took up ground in front of the fort of Rungpoor, occupying two stockades within 700 yards of the ramparts. The enemy opened a harmless fire, as the troops were protected under cover of the Zoi Sagor tank and the ditches of the road. Piquets were placed in two temples within 300 yards of the walls.

Jan. 30.—At three A. M. two men killed at the left temple piquet by the enemy. After day-light, a few shot were fired from the fort; but at noon a flag of truce was displayed, and negotiations opened for the surrender of Rungpoor, which was taken possession of by the piquets at two P. M. on the following terms; *viz.* The evacuation of Assam by the Burmese; the surrender of all forts with military stores and arms; such of the troops as wished to come over to the British to be protected in their persons and property; the rest to retire out of Assam to Ava without molestation, provided no act of aggression was committed on either the persons or property of the Assamese. Under this capitulation, Saum Phokun, with some other chiefs, and 700 men, surrendered; the rest of the garrison, estimated at 2000 fighting men, but 9000 of all classes, ages and sexes, retired towards the passes leading to Munnipoor. Numbers of these, however, returned, being either afraid or disinclined to avail themselves of the option of departure.

The fort of Rungpoor is a quadrangular structure, each face about 1200 yards, a rampart faced with brick, decayed in several places; bastions at the angles, gates at the centre of each face, and a moderate ditch surrounded these defences. The principal obstacle, however, to overcome, was a glacis, thickly sprinkled with spiked bamboos, (called *pungahs*,) a mode of defence much practised. From the camp, the ramparts made a respectable appearance, but the fort could hardly have stood an assault, as the ditch was very imperfect, and there were several breaches in the ramparts, hastily repaired with a breastwork of timber.

Feb. 2.—Captain Martin, with 100 men 57th Native infantry, sent out against the Singphos, a tribe of mountaineers who desolate the plains and carry off the inhabitants. Several of the tribe were cut up, and a great number of Assamese set at liberty.

Another detachment sent out on the following day could not come up with these marauders, who are likely to give much trouble and employment to the troops.

March 2.—Lieutenant Neufville, Deputy Quartermaster General, proceeded to Ghergaong, eleven miles south from Rungpoor, and the capital when Captain Welch, in 1794, penetrated with a small force into Assam. Ghergaong was found a complete ruin; in the old fort, 350 pieces of ordnance, of small calibre, were discovered, and, in a tank, a number said to equal 1000 more.

April.—From the 20th March to the end of this month rain fell

daily, and the low lands became inundated : the troops were placed in cantonments on the most eligible sites.

The attention of the Commissioners had been directed to negotiations with the several mountain tribes that hold the upper part of the valley of the Burrampootra and border Assam ; and many, during the last two months, submitted to their authority. Small detachments were frequently called to act against the turbulent tribes, who preferred their habits of plunder and devastation.

May.—The Burmese again appeared at Beesa Gaum, on the extreme boundary of the Wykayut, leading into Munnipoor : a detachment of 200 men 57th Native infantry, under Lieutenant Kerr, was placed at the disposal of Lieutenant Neufville, Deputy Assistant Quartermaster-General, to reduce the Chief of Wykayut, and to drive the Burmese across the mountains.

June 4.—Lieutenant Neufville had reached the Now-Dheeng river, up which his future operations lay ; canoes and small boats the transport used.

June 10.—By great exertions reached the enemy at Dupha Gaum, where the stockades were gallantly carried by Lieutenant Kerr : the Burmese hastily retired to Beesa Gaum.

June 12.—At Beesa Gaum, the enemy made a show as if inclined to dispute possession, after having tried to decoy a small party to that point by giving out that it was abandoned. Scouts dogged the march of our troops, but when they deployed to assault the stockades, the enemy fled too hastily to suffer loss.

June 13.—Ensign Boyle, with eighty men, pushed forward early to press the Burmese rear ; a duty so well performed that several hundred Assamese were liberated, and the enemy driven beyond the passes.

The operations of the campaign closed with the fall of Rungpoor, and the capitulation for the retreat of the Burmese from Assam ; but the narrative is brought down to the end of June, as illustrating the severe duties imposed on the troops after that conquest was achieved. The conduct of the campaign by Brigadier Richards to a successful, though by no means a rapid termination, must secure to that officer a due meed of applause ; and had he closed his operations by the assault of Rungpoor, instead of entering into terms with a dispirited, disunited, and ill-armed garrison, much of the fatigue and exposure which the troops subsequently suffered in reducing the refractory hill tribes to obedience would have been avoided.

At Rungpoor, the opportunity was afforded of striking a decisive blow against the remnant of the Burmese power in Assam ; and it could hardly have escaped an officer of Brigadier Richards's penetration, that the Singpho and other mountain tribes, with whose predatory habits he was well acquainted, would have been awed by a signal defeat inflicted at their very doors. In support of the course preferred, Brigadier Richards urged, in his public despatch, the distance which he was led from his resources, the difficulty of providing,

should the war be protracted, subsistence to a large force so situated, and the deficiency of land-carriage to alleviate these difficulties. After giving every weight to these considerations, they seem an inadequate balance to the advantages held out by a more spirited and decisive line of conduct. Yet this may be mere matter of opinion, involving at most an error in judgment.

Throughout the campaign, the conduct of the troops was exemplary, under privations to which their frequent excursive attacks exposed them, generally without baggage, and always without camp equipage, in the height of the cold season; in such a latitude the Native soldier must have had his energies put to a severe test. Whenever brought within contact of the enemy, both officers and men conducted themselves with a gallantry and spirit that challenges unreserved applause; and there was a general feeling of regret that Rungpoor should not have been the scene for a closing display of these qualities.

Amongst the officers of this force, an ardour of research, befitting so near a residence to the unexplored tracks of this wild region, has succeeded to their military zeal. To the active researches of Lieutenant Neufville, Deputy-Assistant Quartermaster-General, to those of the officers of the survey department, (at the head of which Captain Bedford is placed,) and to the voluntary exertions of Lieutenant Burlton and others, we may shortly owe a solution of that interesting problem in Eastern geography,—the source of the Burram-pootra. From what has already transpired, this mighty stream, it would appear, will be shorn of much of its honours, and be proved to have no connexion with the great Sarpoo river, to which the D'Anvilles and Rennells have united it.

*Campaign of 1824-5, in Sylhet and Cachar.*

The British force, when operations closed in June 1824, by the failure of an attempt made against the positions taken up by the Burmese on the heights of Talayn and Doadpatly, was left to pass the rains in boats on the Soormah or Barak river, between Jatrapoor and Budderpoor. The months of July, August and September, passed without any other occurrence than a knowledge that the Burmese troops were rapidly diminishing from disease, and that their commanders anxiously waited the return of the fair season to lead the survivors back to Munnipoor. Their sufferings from sickness were scarce less sensibly felt than those from absolute want of food; constant foraging having drained the Nagah, as well as the few straggling villages in Cachar, of their scanty supplies. The strength of the enemy thus situated was, *originally*, estimated at 5000 or 6000 men; but adverting to the supplies required to subsist, during four months, such a force, (on the lowest scale of rations compatible with existence,) the accuracy of such an estimate may well be questioned; and at all events it must have embraced every class of followers, and thereby reduced the regularly armed or fighting men one half. But allowing the highest estimate of their force to have been correct, the deduction to be made for the ravages of disease in four months must, in October,

have reduced them to nearly an equality, as to numbers, with the detachment under Brigadier Innes; while, in point of resources and equipments, there could be no room for comparison. The Brigadier's force was as follows: a flotilla of ten gun-boats; foot artillery, 100 men; and four regiments Native infantry; exclusive of Raja Ghumbeer Sing's irregulars, or nearly 3000 effective men.

On the 25th October 1824, a reconnoissance was made on Talayn to verify a report of the actual retreat of the Burmese; the works were found partly destroyed by the enemy, who had fallen back on Banskandy, and was said to have reached Munnipoor on the fourth of November; in which case the retreat was effected with wonderful rapidity.

Brigadier Innes might, with perfect ease and safety, have intercepted the retreat, by a timely movement to the rear of the Burmese position, although their stockades were confessedly too formidable to warrant their assault by a *coup de main*. But, in justice to this officer, it should here be observed, that after his failure in June last, his instructions, it is generally believed, prohibited any offensive operation without the *previous sanction* of the Commander-in-Chief, who was about 400 miles from the scene of action. Any officer whose zeal and confidence in his own talents might not lead him to disregard, even at the risk of his commission, such a restrictive order, would necessarily act up to its spirit; nor can Brigadier Innes be open to censure for so acting in this instance. We have necessarily anticipated the course of events, but will now return to the general arrangements for the campaign.

June 5, 1824.—Brigadier-General Shulldham, Honourable Company's service, appointed to command on the frontier from Kissengunj to the borders of Chittagong, including Assam and Cachar. General Shulldham's head-quarters were fixed at Dacca; but as he had to join from Muttra on the Jumna, he could not reach this destination until September.

Oct. 21.—The infantry was brigaded and numbered, *viz.*, third brigade, 7th, 23d, and 44th regiments Native infantry, Brigadier E. P. Wilson, Honourable Company's service; fourth brigade, 14th, 39th, and 52d regiments Native infantry, Brigadier Innes, Honourable Company's service.

General Shulldham's staff consisted of a Deputy-Assistant Adjutant-General, an Assistant and a Deputy-Assistant Quartermaster General; but there was no engineer officer attached to the army. His Majesty's 47th foot was nominated to the third brigade, but in November received a new destination for Rangoon.

General Shulldham moved from Dacca for Sylhet with the third brigade, and was instructed to take measures for driving the enemy out of Cachar; *when* this object was effected, it was intimated that the Commander-in-Chief would take into his serious consideration the project of an advance into Munnipoor.

November.—Brigadier-General Donkin, of his Majesty's service, appointed second in command on the Sylhet frontier; and Brigadier-

General M'Kellar, of his Majesty's service, to command a reserve of three regiments of Native infantry formed at Dacca. These officers were selected to command over forces composed of Native troops, with whose language and habits they were unacquainted.

Towards the end of November, or early in December, Brigadier-General Shulldham inspected the fourth brigade, in Cachar; but it does not *yet seem to have been resolved*, by the authorities in Calcutta, to invade Munnipoor; and had so *early* a resolution been formed, the Commissariat was unprepared, and the not less important arm of pioneers still on the road to Sylhet.

The force assembled and expected was as follows, *viz.*—Gun-boat flotilla. Artillery—two companies, (one European,) with four 24-pounders, four 8-inch mortars, and a light field battery of two brass 12-pounders, two howitzers 5½-inch, and four 6-pounders. Pioneers—four companies, (about 300 strong). Cavalry—3d, or Blair's, irregular horse. Infantry—two brigades, or six regiments, of regulars, and the Sylhet local battalion. Rajah Ghumbeer Sing, as a partisan, had 500 infantry and 60 horse; forming an effective total of 7000 men.

To provision and move so large a force, *one* officer of the Commissariat department was allowed, and placed at Sylhet, about sixty miles from the frontier on which this force assembled. Budderpoor was the most distant point at which the Commissariat and its dépôts should have been formed; the resources placed in the hands of the Commissariat as transport were, a scanty supply of elephants for the camp equipage of about half the force; and, to convey supplies, 800 camels!! and 5000 Brinjara bullocks were *expected* by the 1st February to reach Sylhet, from the western provinces of India. Water transport was tolerably abundant, but the season for its application was wasting away.

Dec. 11.—Major Swinton, with his pioneers, reached Budderpoor; and, by the 8th January, carried a road to Banskandy, 19 miles.

Dec. 19.—Mr. Matthews, an intelligent and enterprising individual out of the service, undertook, with a few of Raja Ghumbeer Sing's men, to reconnoitre a route to Munnipoor, *via* Lukipoor and Kala Nagah. Mr. M. stopped three marches short of Munnipoor, and reported so unfavourably of this route, that the more northern one by Noongshie was adopted.

1825, Jan. 22.—The pioneers having gained Koora Bel, 12 miles from Banskandy, Captain Dudgeon, with two 6-pounders, the Sylhet locals, and Rajah Ghumbeer's levy, was advanced for their protection. General Shulldham, with the train, *heavy* and light, and the third brigade, encamped near Doudpatly, to await the opening of a road, and the arrival of the Brinjara bullocks and camels.

The fourth brigade were in boats on the Soomah or Barak river, *viz.* 39th Native infantry at Panchgaong, (sixty miles from Sylhet,) 14th Native infantry at Phoolbaree, and 52d Native infantry at Tarrapoor. These troops were unprovided with land transport; but



their situation enabled them to draw supplies from the bazaars at Budderpoor, instead of from the Commissariat.

Jan. 30.—Blair's horse, from the Nerbuddah, after a march of four months, reached Doadpatly, and a wing moved to join the advance under Captain Dudgeon.

Feb. 4.—Lieutenant Fisher, Deputy Assistant Quartermaster-General, returned from a reconnoissance to Aquee, forty-five miles from Banskandy, and about equidistant from Munnipoor. The first thirty miles a continuous forest, or heavy reed jungle, intersected by sixty ridges, and as many rivulets; a tolerable footpath existed, but a road for guns and cattle would be a work of much labour. From this point to Aquee, the limit of the reconnoissance, a distance of fifteen miles, two ranges of hills were crossed; the first 2200, the second 3100 feet; and Aquee stood on the third or highest range of 5600 feet elevation. From hence, three other ranges, of lower height, intersect the route to Munnipoor; between the ranges, rivers of considerable span flow, with very precipitous banks. Invasion by a *heavy equipped* army of 7000 men was obviously impracticable, unless 3000 pioneers, and three months of fair season, (three days could not now be counted on,) admitted the opening a road for its battering-guns and heavy baggage. The Nagah tribes inhabiting these hills seemed little disposed to afford aid; they had perhaps suffered too much from the passage of Burmese troops, to favour another army.

Feb. 13.—Captain Dudgeon's force moved across the Jiree river, about forty miles from Banskandy. The pioneers were still labouring in the forest, between Kumrungabad and the Jiree, suffering greatly from exposure to the rain: some Nagahs, and a working party from the Sylhet local corps, were now given to aid the pioneers, but the frequent falls of rain injured the road already constructed, as well as impeded the progress of the work.

Feb. 16.—The arrival of the expected Brinjara bullocks and camels for the carriage of supplies, induced Brigadier-General Shuldham to advance the Doadpatly division of his army towards Banskandy; but owing to detention from rain, that place, although only twenty miles distant, was not reached.

Feb. 24.—Until this date.—A great sacrifice of cattle was experienced in this short march: the surface which covers the hills and low grounds being of clay, every fall of rain made the roads impassable to cattle, and even difficult to men.

March 2.—The pioneers carried the road to the Jiree; but on the 5th, a want of supplies forced them to fall back on the nearest dépôt: the advanced force under Captain Dudgeon, which moved to Noongshie, (2500 mouths,) were with great difficulty supplied; 102 bullocks, many camels, and six elephants already lost in these advanced duties. General Shuldham, as his main body advanced, proposed to push forward Captain Dudgeon's light force to Munnipoor; an advance so far restricted by higher authority, that the attempt was *prohibited*; such at least is the prevalent opinion, unless accompanied by Blair's cavalry;

a wing of this corps had reached Noongshie, but was soon forced to retrograde for subsistence. Another part of the instructions was, that the *whole army* was to be established at Munnipoor, and be *subsisted on the resources of that country*—but not advanced beyond, until largely reinforced. Not to relinquish without an effort all these objects, the Commissariat was now urged to put forth all its means to convey a month's supply for the advance and third brigade to Noongshie; 800 bullocks, out of 1000, reached Nyapurra, but half the grain was destroyed in transit; the remaining 4000 bullocks did not advance beyond Kumrungabad; a great portion of their loads also spoiled. As a further resource, the Commissariat officer at Sylhet had made a requisition on the magistrate for 7000 coolies, (or porters,) which number was at different times, between January and March, furnished; 1000 of these men did actually reach Doadpatly, but only 150 the banks of Jiree, so great was the desertion.

March 8.—The periodical rains, termed the “*chota bursat*,” set in early in February, continued through that month with occasional intermissions, but for the last ten days the fall was heavy, and without intermission; the roads became literally impassable, and as a month's fair weather was not to be hoped for even, orders were issued for the advance to fall back.

March 29.—On this date, the guns and baggage that had been pushed forward to the Jiree, were, after great labour, got back to Banskandy, with the loss of six elephants, 150 camels, and 200 bullocks; the cattle in general sick, or so jaded, that little work could be got out of them. When the advance was withdrawn, Brigadier-General Shulldham reported to the Commander-in-Chief the situation in which his army was placed, and that its advance on Munnipoor *was now* utterly impracticable;—pending a reply, the troops were kept at Banskandy, and on the Soormah river.

April 26.—Whatever the reply from head-quarters may have been, the army was now disposed of for the great rains, or “*burra bursat*,” as follows; viz., the fourth brigade, which had been two seasons in Cachar, and had, for want of carriage, remained in boats on the Soormah river, was broken up; 14th regiment Native infantry sent to Allahabad; 39th Native infantry to Dinapoor, (these corps were mere skeletons;) and the 52d Native infantry was ordered to Jumalpoor. Brigadier Wilson remained in Cachar with the 7th Native infantry at Panchgaong; 22d Native infantry at Phoolbarce. Captain Dudgeon, with Sylhet locals, at Doadpatly; and Raja Ghumbeer Sing's irregulars at Banskandy. The artillery-pioneers, and 44th Native infantry to canton at Sylhet, under Brigadier-General Donkin, of his Majesty's service, who was left in command on the frontier. General Shulldham repaired to his division, head-quarters at Dacca. Blair's horse was sent to canton at Comullah, leaving one squadron at Sylhet. Thus terminated our efforts against the Burmese power upon the Sylhet frontier.

*Observations.*—It is difficult to draw a distinct line between proceedings which emanate from the Commander-in-Chief's instructions

and those arising from the unfettered judgment of Brigadier-General Shuldham, without an acquaintance with the official instructions issued for the conduct of the war in Cachar. There are, however, broad lines and facts which may guide to a tolerably fair division of the credit due to both parties. It would seem to have been an early and favourite scheme with Sir Edward Paget, to make Munnipoor the line of operations for the conquest of Upper Ava; and, with this intent, two regiments of Native cavalry, two regiments of European infantry, and about 8000 Native infantry, were assigned for service in Sylhet. How long this project, formed in May or June, lasted, is not easy to say; but all the European troops were not withdrawn until the mutiny at Barrackpoor on the first of November.

It would, generally, be deemed a primary object to perfect the Commissariat resources and arrangements, when about to penetrate a country well known to be exhausted, and even in favourable times supposed to possess very limited resources. Yet, with such considerations staring the authorities in the face, and the intent of employing an army of 12,000 men in Cachar, the Commissariat department was totally inefficient in October. When the scheme for the employment of so large an army with Europeans and cavalry was abandoned, and the Sylhet troops reduced to a scale of 7000 men; still, in January and February 1825, the pioneers and Captain Dudgeon's advanced force could not easily be subsisted by the department, for the *want of transport*, though provisions were in abundance at Sylhet. The cattle drawn from the upper provinces were not *even expected* until the 1st of February, when the "chota bursat" (the lesser rains) would render Cachar impassable; camels (the ship of sandy deserts and arid plains) were brought into the marshy and mountainous tracts of Eastern Bengal, where they are utterly useless, and would not survive as many months as their march from Cawnpoor occupied. The pioneers reached Budderpoor on the 11th of December, instead of the 1st November, and the strength of this army was quite inadequate to its duties. In short, the season for operations had nearly passed away before it was irrevocably resolved to prosecute an advance into Munnipoor. When this point was fixed, the Commissariat became all bustle, and indented on the Sylhet district for 7000 coolies; the natural consequence of measures of haste followed: the coolies were nominally furnished and paid at the rate of five rupees a month; but from the absence of organization, by the institution of Sirdar contracts, and the want of a supply of proper food, these men vanished as fast as they were drawn together. With *one year* for preparation, no attempts were made to collect and embody this useful class of people; nor to train and break in to carry loads the cattle of Sylhet; it was even asserted, that these cattle *would not train!* or that the district *only produced cows!!* both reasons so exquisite, that either is conclusive.<sup>4</sup>

<sup>4</sup> A private communication, lately received from India, affords a striking commentary on this transaction:—"It is considered (says the writer) that Sir Edward Paget acts injudiciously in having King's officers at the head of his principal departments, in which the old officers have been superseded in

Since the departure of Mr. Scott, in April 1824, for Assam, the plenary power, to call into action the resources of Sylhet, and the dependent hill states, seems not to have been vested in any resident authority. The Government has, for a series of years, expended monthly, 2000 rupees as presents to the hill chiefs, whose good-will this is supposed to purchase: how the money may have been applied is unknown, but certainly, in this time of need, neither Jyntiah, Cos-siah, or Nagah, was collected to aid the common cause; liberal pay, with good food, and the douceur perhaps of occasional drams, would have conciliated these hardy mountaineers; and coolies might have been collected from our own provinces to any extent, under the certainty of liberal pay, good food, and having the nature of *their duties well defined*. No steps, however, were taken until late in the campaign, and then the terms offered, though high, were not such as would rouse the selfish savages of the hills to hasten forward on a pressing emergency; while the coolies, hurried together, were fully impressed with the idea that they would have to fight instead of labour.

These observations tend to vindicate Brigadier-General Shuldham's military reputation, and to prove that he was placed in a situation of embarrassment, for which he was not responsible. How far General Shuldham perfected this exoneration by early representations of the state of his commissariat, the deficiency in pioneers, and of the rugged and difficult track through which his movements lay, is uncertain. Silence on these points involves a degree of personal responsibility where it does not otherwise attach; and it was equally incumbent on General Shuldham to remonstrate boldly against those parts of his instructions which are said, and very generally believed, to have shackled the details for conducting an advance through Cachar, by prohibiting the movement of a light force *without cavalry*, by limiting the advance of the main body, without *all the artillery, heavy and light*, and laying it down as an express condition, that the invasion was to embrace the establishment of the *whole army* in Munnipoor.

A want of energy seems to have been the besetting sin which prevailed at the head-quarters of General Shuldham; though the General is represented to have been the most efficient, anxious, and zealous member of the staff. The head-quarters reached Budderpoor early in December, but no reconnoissance was, it appears, attempted

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all matters connected with the Commissariat; in all affairs of local experience he neither informs himself nor employs officers of information. Thus, regiments were ordered to march from Barrackpoor to Dacca in October while the country was under water, and orders were sent to the Collector of Jessore to prepare provisions for troops on the road; and eight days *after*, inquiries were made if troops could pass. Captain Stubbs, the Resident at Gualior, offered in June to engage 20,600 Brinjara bullocks, and the Government rejected his proposal; but, in October, he was asked for 5000, when they ought to have been actually on the march, and then they could not be obtained, as Seindha and the other Native Powers, in whose territories the Brinjaras resided, had removed them to the west of India to prevent our availing ourselves of them." In this we see how conspiracies ramify and gather strength all over India, from the mismanagement of this ruinously impolitic war.

until the 19th of that month, when Mr. Mathew made one, on a route decided to be impracticable. The next attempt was by Lieutenant Fisher, Deputy-Assistant Quartermaster-General, completed on the 4th February. Had this duty been early and actively prosecuted, the defenceless state of Munnipoor must have been exposed, and such a movement made, as would have secured the occupation of that country, and its safe retention during the ruins. It is true, that two officers of the Quartermaster-General's department were very inadequate to an efficient discharge of the important duty of reconnoissance in so wild and difficult a country as Cachar, even were the intelligence and other branches of their duty neglected.

Since the retreat of the Burmese in October, it was certain that no enemy would be found nearer than Munnipoor; stinted, therefore, as the commissariat was in transport, the advance to Kurnungabad, Nya-purra, the Jiree, and to Noongshie, of a force of nearly 3000 mouths, exclusive of pioneers, was most injudicious; 300 or 400 good troops stockaded at the Jiree or Noongshie, would have afforded ample protection to the working parties in their rear, while the Commissioners might at least have stored at Noongshie the rations consumed by Captain Dudgeon's force, and thus have enabled the advance, in February, of a light and efficiently equipped detachment to Munnipoor; so long as distant movements were prevented by the absence of such advanced depôt, all unnecessary mouths should have been kept where they might be fed without exhausting the transport. Lieutenant Fisher found the Barak river fordable in February, and the Jiree was navigable all the season to light boats; had these rivers been properly and early surveyed, they afforded a medium of transport for 40 miles beyond Banskandy.

Some spirit of enterprise is expected from an officer, even when bound down by instructions, or embarrassed by an inefficient commissariat; it is here that General Shulldham fails to establish a claim to professional distinction. To the advance of Captain Dudgeon's light force without support he was averse; a degree of caution tantamount to a relinquishment of all operations. To the <sup>5</sup> pioneers, unqualified praise is due for their laborious and unremitting exertions under privations and exposure, which sent half the small body into hos-

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<sup>5</sup> This corps, by the Court's organization decree, has been abolished, and its native establishments directed to merge into the corps of engineers, which has not officers for this, nor half its present duties. The local Government, in adopting this part of the arrangement, were compelled from the necessities of the moment to delay the completion of its dishandment as a separate corps *until after the war*. The obnoxious part of this decree of the Court consists not in restoring this arm to its proper branch of the service, but in the cold and unfeeling way in which this gallant corps is disembodied; not a word of eulogy, far less a thought of remuneration to officers who had served in it 23 and 18 years. Col. Swinton had been so employed for the former, and Captain Wilkie the latter period, and both wounded in the discharge of the perilous duties it entailed. Several other officers had served eight years and upwards, yet all are alike remanded to their corps in the infantry. Such is the tendency of arrangements which the President of the Board of Control would make the British House of Commons believe were received without a murmur.

pital if not into the grave. Lieutenant-Colonel John Swinton, the veteran commandant and father of this branch of the service in Bengal, expended his last remnant of zeal and energy in this harassing duty, for which he retired to the invalids with a frame so completely shattered and broken, that his most intimate friends can scarce recognize the wreck of the old Commodore, (the name by which Colonel. S. is best known).

After the detail of facts which the narrative portion of this exposé discloses, it may seem unnecessary, though a spirit of justice requires an expression of the opinion, that the entire failure on this frontier arose from the Commander-in-Chief's crude scheme of collecting large masses of troops, for which there *could* be no adequate supply of transport or provisions; encumbering the army with cavalry and heavy artillery, quite unsuited to the theatre of war; and making very inadequate provision in the arm of pioneers, or giving bildars to supply their absence. As a fit climax to such a 'Comedy of Errors,' there were in his Excellency's decisions a wavering and tardiness which would go far to insure the failure of a campaign, though in its outline it were generally well fashioned.

The draft of this campaign was finished before accounts were received of a successful movement into Munnipoor by Lieutenant R. B. Pemberton, of the Quartermaster-General's department, with 500 Munnipoor irregulars, under Rajah Gumbeer Sing; leaving Sylhet on the 17th May, and taking an indirect route in consequence of the impassable state of the usual one at this season, Lieutenant Pemberton and the Rajah did not reach Banskandy, where the troops were assembled, until the 23d of that month. On the 25th, the advance was commenced and continued to Kala Nagah, Noongba and Moonjeroon Koona, 54 miles; here heavy rain detained the force from the 1st to the 4th of June, and exhausted the stock of provisions; on the 10th, two simultaneous movements made from the Eyee river, surprised the Burmese picquets, posted in the villages of Koonga, Kool, and Miangkeeno, at the foot of the passes opening on the valley of Munnipoor, several Burmese were killed, and more taken prisoners.

The troops, since the 1st of June, had cheerfully suffered great privations from inclement weather and scanty food. While collecting provisions from the nearest hamlets on the 11th, a report was received that the Burmese had retired from their stockades at Munnipoor, which were taken possession of on the 12th of June by Lieutenant Pemberton's force, after a march of 96 miles over the most rugged country, since leaving Banskandy. The Burmese, to the number of 600 fighting men, retreated with all moveable property to Undroo, 10 miles south from Munnipoor; a pursuit with a detachment of 200 men was made on the 13th, but discontinued after a march of six miles, on hearing that the Burmese had quitted the Munnipoor territory.

After suitable arrangements for the provisioning a force of 400 of Gumbeer's irregulars, and an equal number of newly-armed inhabitants in stockades at Munnipoor, Lieutenant Pemberton, with Rajah Gumbeer Sing and 200 men, returned to Sylhet, which they reached on the 22d June, having experienced much difficulty in feeding this small

force on their route. Lieutenant Pemberton speaks highly of Rajah Gumbeer Sing and his troops; it were needless to expatiate on the merits of the Lieutenant, who conducted this arduous undertaking to a successful issue;—an event worth a volume of commentary on *what was done, and what left undone* on the Sylhet frontier. Whether the experience acquired by past failures and present success, may give rise to the adoption of a feasible plan of operations in the ensuing season, remains to be proved; but that a most important diversion and co-operation may be made from Munnipoor is unquestionable, if a well-equipped light force of 2000 or 3000 men only be organized.

The latest accounts from Munnipoor (down to the end of July) inform us, that Gumbeer Sing's troops had advanced to Kubboo, near the Ningtie river, considerably south of Munnipoor; the inhabitants of this district had revolted against the Burmese, who fled the country despairing of reinforcement from Ava.

#### THE SNOWY DAY.

MARK, love, the distant hills  
Are dazzling white,  
And pale moonlight  
Is dying on their peaks;  
And noisy rills,  
With flood increast,  
Go meet the east  
Where morning breaks.

The wind goes shivering by  
The leafless grove  
It loved to rove  
Beneath bright summer's pall,  
Seeming to sigh  
And moan aloud,  
As, fortune-bowed,  
The houseless prodigal,

That visits seats once his,  
And fears to tread  
Or lay his head  
Upon the daisied lawn;  
Or steal a kiss  
Of that old gate,  
Where erst in state  
His baby car was drawn!

I shall not forth to day,  
The flaky veil  
By Winter pale  
Spread o'er the hills, to tear;  
Let rabbits gray  
Around, in sport,  
Their burrow'd fort,  
Unscared, unharm'd, career.

BION.

## MEMOIRS OF SIGNIOR GAUDENTIO DI LUCCA.

*To the Editor of the Oriental Herald.*

SIR,

January 2, 1826.

LOOKING into your last Volume (p. 286), I observe that the writer of the ingenious Essay 'On Sir Thomas More's Utopia,' has not escaped the very common error of attributing 'Gaudentio di Lucca' to the pen of Bishop Berkeley. Some account of the origin and progress of this misapprehension, and a discovery of the far less distinguished author of that political romance, will, I dare say, be accepted with your usual courtesy, to which I am no stranger.

The earliest notice of the work which has occurred to me, is in the 'Gentleman's Magazine' for 1737 (Vol. VII., p. 317), where, among other recent anonymous publications, are, 'Memoirs of Signior Gaudentio di Lucca, discovering an unknown Country of Africa, as antient, populous, and civilized as the Chinese.' The work is again noticed at page 13 of the 47th Volume (for 1777), and ascribed to Bishop Berkeley.

In your first Volume (p. 624), Bishop Stock is mentioned as the biographer of Berkeley. That Life was written for the 'Biog. Britannica,' and inserted in the 2d Volume (1780), with additions by Dr. Kippis, who, on the authority of the 'Gentleman's Magazine,' and "the booksellers in their printed catalogue," says, that "the adventures of Signior Gaudentio di Lucca have generally been attributed to Bishop Berkeley." He then quotes "the positive law among the Mezzareneans, not to shed human blood voluntarily," and their consequent practice of confinement for life, instead of immediate execution in the very rare case of murder; also "the author's ideas concerning women, love, and marriage;" and concludes, that "these sentiments, so pure and disinterested, and so contrary to the ideas and practice of large commercial states, and corrupt and polished kingdoms, may afford, perhaps, a farther internal presumption that the 'Adventures of Signior Gaudentio di Lucca' might come from the pen of Dr. Berkeley."

Yet, after all, the able, and, generally, most accurate biographer, in his *corrigendu* to this volume, relates, "on the authority of Dr. George Berkeley, the Bishop's son, that his father did not write, and never read through," these 'Adventures.' Dr. Kippis, actuated by that ingenuous spirit which I well knew him to possess, proceeds to "record himself as having exhibited an instance of the folly of building facts upon the foundation of conjectural reasonings. Having heard the book ascribed to Bishop Berkeley," he adds, "and seen it mentioned as his, in catalogues of libraries, I read over the work again under this impression, and fancied that I perceived internal arguments of its having been written by our excellent prelate. I was even pleased with the apprehended ingenuity of my discoveries. But



he whole was a mistake, which, whilst it will be a warning to myself, may furnish an instructive lesson to others. At the same time, I do not retract the character which I have given of the 'Adventures of Signior Gaudentio di Lucca.' Whoever was the author of that performance, it does credit to his abilities and to his heart."

This was written in 1784. The next year, in the 'Gentleman's Magazine,' (Vol. IV. p. 757), the author of 'Gaudentio' was thus disclosed, in a letter signed W. H.: "His name was Barrington, a Catholic priest, who had chambers in Gray's Inn, in which he was keeper of a library for the use of the Romish clergy. He was author of several pamphlets, chiefly anonymous." This account the letter-writer professes to give "on very good authority"; yet a reader of 'Gaudentio' will probably require more than *anonymous* authority to receive implicitly what follows, not only that "Mr. Barrington wrote it for amusement in a fit of the gout," but that "he began it without any plan, and did not know what he should write about when he put pen to paper." *Credat Judæus Apella!*

As to "the opinions of Sir Thomas More on capital punishment" (p. 288), it is no unreasonable conjecture that they were formed while he was under-sheriff of London, about which time he was supposed to have written the 'Utopia.' That period was distinguished in England by a lavish expenditure of human life in the administration of criminal law, worthy the reign of Henry VIII., and seldom equalled in any period professedly civilized, till England, in our age, has merited the highest station on that *bad eminence*. Your readers who recollect the 'Rambler,' No. 114, may justly admire how Dr. Johnson exposes, after Sir Thomas More, whom he professes to follow, what he calls "the legal massacre" periodically perpetrated on our jail-delivery, while he recommends a "scheme of invigorating the laws by relaxation, and extirpating wickedness by lenity."

It is remarkable, that in little more than twenty years after the *legal murder* of More, his 'Utopia' was published in the vernacular language. Anthony Wood says (*Athen. Oxon.* 1691. i. 693), that "Ralph Robinson, of Christ Church College, did translate in English, with notes added, in the margin, the 'Utopia' of Sir T. More, *Lond.* 1557, 8vo." It would gratify curiosity to learn what notes a translator would venture to add to a political romance in the *good times* of Philip and Mary, at the close of whose reign was introduced, in 1558, the first "bill for restraint of the press." It purports, "that no man shall print any book or ballad, &c., unless he be authorized thereunto by the King and Queen's Majesties' license under the great seal of England." This bill passed through a third reading with the Lords, but the Queen died before it could reach the Commons; and thus restraints on the press, those prime favourites of Europe's *Holy Alliance* and of the *British-Oriental* despotism, were reserved to disgrace succeeding legislatures, and, especially, to become the *opprobrium* of those inconsistent advocates of freedom, the *Long Parliament*, to whom Milton vainly addressed his *Areopagitica*; for they were "deaf to the voice of the charmer." The removal of

the *ensorship*, (too soon restored as an appropriate appendage of royalty,) was reserved to form one of not a few redeeming passages in the story of Cromwell's usurpation, to whom has been attributed the magnanimous declaration,—that unless his government could stand against *paper-shot*, it was not worth preserving.

N. I. T.

#### AFFAIRS OF CUTTACK.

Hæc scripsi, non otii abundantia, sed amoris ergate.—TULL.

*To the Editor of the Oriental Herald.*

I CONGRATULATE you, Sir, in common with a number of exiles like myself, on the vast circulation to which your publication has attained; we hail it as a vehicle for giving publicity to a variety of matter, which might accidentally be omitted in the sheets of the Bengal 'General Letters,' and which should interest even those who have been most opposed to you on the questions in which your transmission originated; and for this simple reason—because they may learn from you that which will see the day by no other agency. Who shall tell any other tale save that which the Government despatch records? And yet, on the meanest question of civil polity, is there not the "*alteram partem*;" and is it in human nature to subject the favourite measures of favoured men to the strong light of that unerring scrutiny which truth and impartiality alike demand? On every account, therefore, even the Directors have a deep—may it be a lasting!—interest in the efforts of your pen.

The numerous subjects of discussion which present themselves to those who are in the habit of exercising the privilege of thinking, without consulting the Editor of the Government Gazette, whose *optimisme*, by authority, we hold in no great esteem, renders the task of selection difficult. Then, there is the taste of your subscribers to be considered, many of whom would as soon think of mastering the subject of the Arian heresy, or the question of the bull "*Unigenitus*," as waste one thought upon the country which gives bread and diseased livers to the younger sons of genteel families, and at last returns a few to seek a grave at Cheltenham, ("a world too wide for their shrunk shanks,") which they have missed in Calcutta.

We are sensible that, to them, any thing that comes from a situation more remote than Hyde Park Corner, will have as little attraction as if 'The Herald' had conveyed to them a list of the last week's occurrences in the Georgium Sidus. We will not hope to excite their attention; and we wish them "marry good air" in Rotten Row. But there are a favoured and a happy few, who have heard from the cradle of nabobs and nautches; who have lisped of Cornwallis and curries,

of Tippoos and teapoys, Begums and the Black-hole, commissioners and catamarans. We have marked their innocent enthusiasm when taken to the Tower to see the great Bengal tiger who swallowed Sir Hector Munro. "What!" they have innocently exclaimed, "may not brother Billy have achieved? What! may *he* not become *auspicio regis et senatus anglie?*"

To these exemplary persons we seriously address ourselves. Accustomed to longer stories than we shall tell them; trained from infancy to read, mark, learn, and inwardly digest relations verging on the marvellous; prepared, as Goldsmith said of his religious opinions, to take them upon trust, like inexpressibles from his tailor. What joy to write for such a circle! But we respect these patient anvils for Indian hammers far too much to detain them at the threshold, when we know it to be our duty to usher them, *in medias res*, without further delay. *Hoc age*, then.

And here *l'embarras des richesses* is sensibly felt; for, without a modest appropriation of every page of 'The Herald,' how shall we talk at any length of the Burmese Campaign, Bengal Civil Regulations, Military and Civil Appointments, Pension Fund, Loan to the Civil Service, Cuttack Affairs, upon all of which prolific subjects we contemplated discussion. Let us, however, begin with the last; it is by no means the least in our list; but we shall show cause in the sequel for supposing that even the Bengal Government have not seen both sides of *this* picture.

The mode of administration adopted for the province of Cuttack affords matter of pleasing contemplation to all admirers of legitimate government, and legitimate silence on all questions which, as James I. phrased it, "savoured of the king-craft." It will be within the recollection of the majority of your readers, that the superabundant happiness of this part of the Honourable Company's dominions manifested itself by sundry armed assemblages of the lieges under the celebrated Bukshée Jugbundoo; who at last stood forth at the head of a violent and sanguinary rebellion, which rendered the province for some years a scene of devastation and bloodshed. At last it was determined to create a Dictator. Nothing could be wiser. The nomination of an "Englishman of pith" to cope with this Jack Straw of Orissa, appeared the more desirable, for he had not long before signalled himself by the capture and conflagration of the station of Pooree Juggernath, and talked very seriously of visiting the Presidency with a similar mark of his displeasure.

The Dictator came, saw, and triumphed. Jugbundoo retired in dismay to his jungles; Pooree Juggernath, with its Dagon and its temple, returned to the fostering protection of the honoured Company. Peace and the pilgrim-tax were again restored: once more the idol received the trappings of his car from the officers of Government; and the blessings of our civil administration were again to be found in the office of the collector, and the court-house of the judge.

All this was highly creditable to the Bengal Government; and why should we refuse our humble note of admiration to the wisdom which

planned the destruction of this Caliban of Orissa, and the vigour which followed him with such unparalleled activity, that the zeal of Douglas, after Bannockburn, who pursued the English monarch, *ne vel mingendi locus concederetur*, can alone be permitted to enter into comparison with the *res gesta* of the Proconsul? But who has not desired, in the elegant language of the poet—

Tibur argeo positum colono,  
Sic meæ sedes utinam senectæ  
Sic modus lasso maris et viarum,  
Militæque!

Who then shall feel surprised that the Dictator sat down under the shade of his laurels at Balasore, distant about a hundred and fifty miles from the disturbed districts, the theatre of his glory?

But now comes that hydra, Detraction, with her hundred tongues; and though their sayings are like unto chaff which the wind of the morning hath dispersed, and it is no more seen, lo! we will uplift our voice, and signalise the calumny; and let it not be said that we design to display the *utor verborum*, so properly reserved for academic groves, the bar, or the senate; and if such ambition were, indeed, ours, who shall cast the first stone? Has the sagacious axiom been refuted, "*La vertu n'irait pas loin, si la vanité ne lui tenait compagnie*"?

And here is some of the idle discourse of the ignorant and ill-disposed; and to what does it amount? Behold, they cavil first because the Commissioner of Cuttack, instead of holding the sessions of the Court of Circuit at Cuttack, the central point of the vast provinces subjected to his authority, was pleased, at the most inclement season of the year, to order over prisoners in fetters, prosecutors, and witnesses, to Balasore, distant, in many cases, upwards of two hundred miles from their place of residence, and this for his personal accommodation and private convenience.<sup>1</sup> And they are wags withal, *ludibria seriis permiscere soliti*: nay, they have been jocose enough to suppose this parallel:—The Lord High Chancellor of England, or the Lord Chief Justice of the Court of King's Bench, gravely proclaiming in Westminster Hall that the heat of the weather, and Lady Eldon's delicate state of health, rendered it absolutely necessary for them to hold the sittings of their respective courts at Brighton. Conceive, say they, the sensation excited among the learned gentlemen; the demurrers of Scarlett and Brougham—the sarcasms of Jekyl—the raillery of Denman; and when we think of the squibs of the 'Morning Chronicle,' and those troublesome fellows, Hume and Burdett, rising in their places to impeach the noble Lords for attempting to hold their courts in a bathing-machine, we really shudder at the probable consequences.

Now mark how a plain tale shall put these reformers to shame; and here is the chain of reasoning they strive to uphold, but of which

<sup>1</sup> We firmly believe that this fact never was known to Government; and if it was, the distance, and distress to all parties, never was brought into light.

we hold it facile to demonstrate the futility :—A Commissioner of Cuttack either *is* or *is not* wanted for the public service ; if he *is*, he should be ready to repay in his person to the country the splendid remuneration which it grants to his labours ; if he *is not*, his office is a misnomer, and himself a drone in the Honourable Company's beehive. Now, say the reformers, it is well known that for two years the Commissioners never came but once to Cuttack, and that only for about as many days. *Ergo*, it is plain he cannot be wanted *there*. They defy us to extricate ourselves from the horns of this dilemma. All this comes of having a limited apprehension of the logical postulate, *omne majus continet in se minus*. Dignitaries, such as we describe, have a sort of official ubiquity, which makes residence in one place amount to residence in another ; and as to that promenade which the witnesses and suitors had occasion to take, many of them about four hundred miles, is it not obvious that in tropical countries exercise is absolutely indispensable to the preservation of health ? and as it is quite certain that they would have walked about for their own convenience had they remained at home, it was equally desirable they should use salutary locomotion for that of the Commissioners. And thus, to all the outcry about prisoners driven in fetters from one end of Orissa to the other, and inclement season and rain, we answer victoriously, that, in so hot a climate, nothing can be more healthful than frequent ablution ; and as the Natives constantly walk about with silver rings round the ankles, it was no great hardship to be compelled to wear iron ones.

But foiled in this part of their question, they return to the charge, and have the hardihood to urge, that the Proconsul's ubiquity is so little consonant with the facts, that not having leisure to visit Cuttack when the sessions were going to be held, and doubtful if the Government would altogether approve of a second judicial pilgrimage, which, though salutary, as we have shown, both to the bodies and souls of the felons, might be objected to, perhaps, in Leadenhall-street as a precedent, this exemplary public functionary was compelled to get a deputy-proconsul appointed for this particular duty. And thus we have another version of the old story from 'Joe Miller' of the sea-captain vociferating from the quarter-deck, "Bill ! what, in God's name, are you about up there ?" "Nothing, Sir." "Tom ! what the devil are *you* doing ?" "Helping Bill, Sir."

To these, and a hundred such tales, we reply, that the old adage has long given to two heads more wisdom than one. Wisdom must be bought like any other commodity in the market, and its price must be regulated by the demand and supply. And though Pope Urban VIII. declared with great truth, "*che il mondo in qualche maniera se governa da se stesso*,"<sup>2</sup> still we cannot think he meant us to be without such exemplary assistance in the management of its

<sup>2</sup> We translate, for the benefit of country gentlemen, to whom we think it imports to know, "that the world, in some sort of fashion, contrives to govern itself."

affairs as that to which we allude. Besides, the holy father never was at Cuttack; for if he had been there, we are persuaded he would have modified this expression of his opinion; more especially as the creation of two great offices for the management of the temporal concerns of the people of Orissa allowed the expectation that, were a spiritual commissioner to be recommended, no objection could be derived from the inexpediency of creating useless, expensive, and unnecessary appointments.

And then, again, what sarcasms have they not cast on the nomination of a Mr. M——t, the “*fidus Achates*” of this Cuttack *Aeneas*, to the office of master-attendant at Balasore, upon a genteel remuneration of some four hundred pounds per annum, there being no ports to attend upon, capable of being approached by vessels above the size of fishing-smacks, as if it were not patent to the most limited intellect, that the measure is one of profound sagacity; for as it is well known that, about a hundred and fifty years ago, Balasore was a place of great trade, there is no physical obstacle, therefore, to its becoming so again a hundred and fifty years hence; and as ships have been known to approach Balasore, before Arkwright and Peel’s machinery in a great measure destroyed the cotton manufactures of India, or, at all events, that kind of cloth exported previously to their discoveries, there is no saying that a master-attendant might not do good service, should the Manchester manufactures decline, and those of Orissa revive.

Again, these misguided persons have had the audacity to reflect on the admirable arrangements made by the Proconsul for conveying the salt manufactured in the districts of Cuttack by sea to the Presidency; nay, they have had the matchless effrontery to contend, that the contract was so unfavourable to Government, that the contractors, two Anglo-Indians, in high favour with the Proconsul, had made large sums of money at the expense of his honourable masters. Certain it is, say they, that this contract, as it is termed, never was heard of in Calcutta, never advertised in the Gazette, or bid for by sealed tender, the only fair mode of securing the interests of Government, by competition open to all; insomuch, that, though there were individuals in Cuttack ready to take it at a large reduced rate, it was so notoriously a boon from the Proconsul to his creatures, that no one dared to make application for it. And then they talk nonsense about the press, as usual, and exclaim, “Happy country! where Government has itself supplied the gag and the bandage to silence and conceal the truth from itself; where complaints of partiality or corruption must pass through the offices of the partial and the corrupt!” To this, and more than this, we triumphantly reply, that as the Proconsul never came to Cuttack, he was not at all obliged to know what the contract was worth there; besides, the security given by the contractors appeared so unexceptionable, and it seemed so desirable to encourage industrious and upright habits in the Anglo-Indian population, that what the state may have lost in money has been gained in reputation.

But while we are on the subject of salt and salt contracts, we must

mention one senseless statement, which manifests the impossibility of placing any system, however perfect, beyond the reach of those troublesome and prosaic searchers after the "cui bono" of great state-measures, who are no more capable of appreciating the remote and contingent effects of the most simple causes, than Newton's little dog Diamond, when he destroyed the scientific labours of half a century. Now, one of the favourite measures of the Proconsul was the division of the salt-agency of Cuttack, which, though it did involve the enormous expense of two salt-agents, with all their officers, instead of one, was to be compensated by such improvement in the quantity of salt manufactured in the neighbourhood of Balasore, that we absolutely trembled for the fate of two or three European ladies there; the expectation held out being little less than a renewal of the awful scene in which the curiosity of Lot's wife received so uncommon a castigation. In short, there was every reason to fear that the service might have to mourn over some lamentable transformation of even the Proconsul himself into a pillar of salt. But time has removed all apprehension; and we learn, that so far from any miraculous production of the mineral having occurred in those parts, so alarming has been the diminution compared with former years, that the Proconsul thought it advisable to enter into a serious investigation, to ascertain if the southern agent, who opposed the division as useless and expensive, had not employed a supernatural agency to frustrate the salt-boiling energies of his brother of the north.

*Delirant reges, plectuntur Achivi*—the Rajah of Cunkah, a Native of the highest rank, who was suspected of having, in concert with the southern agent, practised sundry incantations after Hecate's most approved recipe, was summoned in person to Balasore, to answer for the failure of saline crystallization in his extensive country. Some little delay occurred in his attendance on the Proconsul's curule chair, and a fine of one hundred rupees per diem was imposed upon him. To avoid total ruin, he attended. It was in vain that he urged that such miraculous crystallization as that obtained in the vicinity of Sodom and Gomorrah, was scarcely to be expected, or even desired, among his salt-boiling tenants; that the seasons were beyond his control; that this had been wet and unfavourable; that his country produced only a given quantity of fuel; and that his tenants, as the case stood, had given up so large a proportion to the manufacture, that none was left for domestic purposes, and the greatest distress expected in consequence within his territories; that he had been dragged from his home, fined excessively for non-attendance, when his rank entitled him, under the Regulations, to be heard by his agents in any case not involving a breach of the criminal law; that severe sickness fortified that right. All would not avail. The Rajah was detained in weary attendance on the Proconsul; disgraced, degraded in the eyes of his tenants, whose rights he had upheld; a laughing-stock to the ignorant population, and the victim of that "brief authority" which plays such tricks before high heaven as make the angels weep.

To all these flowers of oratory we have one ready answer: first of all, "*Nous sommes les plus forts.*" This is one of those arguments of forty-horse-power, which legitimate logicians never fail to put forward with effect, and with infinite propriety; because it saves all useless expenditure of pen, ink, and paper, and is in itself unanswerable. "*Cæsar imperat;*" and if the Rajah was unwise enough to delay obedience to the imperial ukase, one hundred rupees per diem is no great sum for an Indian potentate to pay as the price of experience in that excellent old English adage, "delays are dangerous." And as to his sickness, which has been so forcibly insisted upon, we reply, that the change of place, air, and scene, attendant on his journey from his country to Balasore, was precisely accordant with the English practice of medicine in this country; and as to his rank, which should have exempted him from the disgrace of being summoned like a pilferer on a charge of petty larceny, we demolish the premises with the grand religious truth, that all mankind are equal.

It is in vain to urge the Roman maxim, "*Parcere subjectis et debellare superbos.*" That admirable nation had no delicate questions which justify and necessitate strong measures for the support of that which, though very profitable, is very oppressive. They had no star-chamber, where those who make, and those who execute, an arbitrary fiscal statute, sit in judgment on the offence which they have themselves created. Their laws did not at once proclaim the "*misera servitus,*" by leaving the offence and the penalty "*incognita et vaga.*" But let us not insult the pandects of Amalfi, or the memory of Justinian. Shades of those illustrious men, whose thirst for dominion we have emulated, whose boundless ambition has marked you for our imitation, whose colossal empire we have attained,—pardon us if, in playful irony, we have for an instant associated your deathless reputations with a wanton abuse of that power, in which alone the parallel approximates! Oh, let us not forget that, if ambition led on the car of your conquests, virtue, clemency, and generosity, followed close behind!

AN OLD ACQUAINTANCE.

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DEFICIENCY OF EUROPEAN OFFICERS IN THE INDIAN ARMY.

*To the Editor of the Oriental Herald.*

SIR,

Head Quarters, Promé, August 1825.

IN bringing to the public notice the oft-repeated theme of the deficiency of officers in our Indian army, I am almost tempted to despair of success, as the subject would appear to have been thoroughly canvassed, and finally decided upon, prior to the celebrated new arrangement of 1824. I think, however, that I can show good reasons for that distribution of officers being considered utterly inadequate to the exigencies of the service at present, more particularly when a war is raging hitherto unparalleled in our Indian history. Prior to the new arrangements, the strength of a battalion, in



officers under the rank of Major, consisted of four Captains, eleven Lieutenants, and five Ensigns.

This, we should suppose (if no staff existed, and no officers were obliged to go to Europe for the recovery of their health,) as barely sufficient for the duties of a corps 1000 strong. But when we consider the very great proportion of staff officers necessarily taken from the line, and that at least two or three officers from every corps are generally absent in Europe, it becomes natural to suppose that the Court of Directors would have authorized some considerable augmentations, little short of doubling the number of regimental officers, and calculated to render our regiments as efficient as those of his Majesty. That such hopes existed is true, but it was most lamentably disappointed. Instead of an augmentation, the Court allowed the number of officers to be the same precisely as before, changing the two senior Lieutenants of the old regiments into Captains, and allowing the Subalterns to remain in *statu quo*. The strength now of a regiment of one battalion is, one Colonel, one Lieutenant-Colonel, one Major, five Captains, ten Lieutenants, and five Ensigns, thus making no allowance for staff and absentees. The plan I propose for efficiently officering the Native army is as follows: With respect to Field Officers, I am of opinion there is a sufficiency, but certainly not of Captains and Subalterns. I say, therefore, *with due regard to the Company's finances*, that the establishment should be as follows: eight Captains, sixteen Lieutenants, and six Ensigns,—the Adjutant and Quartermaster included amongst the Subalterns; and most indubitably, they ought not to be allowed to hold companies, except when absolutely necessary.

I may here advert to the practice of the Court in not sending out a sufficient number of cadets every season to fill up vacancies occasioned by deaths in this country. They at last discover the want of young officers, and then send out a prodigious number all at once, wholly unfit for some time to make themselves useful in their profession; whereas, if the supply was equal and constant, every corps would be provided with a sufficient number of steady and experienced officers capable of performing all duties required of them. No officer can be considered *efficient* until he has been a year at least, or more properly, eighteen months, doing duty with his regiment. He cannot be expected to understand the language, and know the ideas and prejudices of the Natives he is called upon to command. I really think an augmentation of the nature I have just mentioned would be more beneficial than ten new regiments; and I cannot but express my earnest hope, that the Court of Directors will take the matter into their most serious consideration, as nothing short of a predominant European influence can make the natives of India the gallant, steady soldiers, they have proved themselves when well and numerous officered. I now, Mr. Editor, beg to subscribe myself your most obedient servant,

AN INDIAN OFFICER.

DEFENCE OF SIR EDWARD PAGET'S CONDUCT IN THE  
WAR IN INDIA.

*To the Editor of the Oriental Herald.*

SIR,—In the last Number of 'The Oriental Herald,' you have commented upon the conduct and ability of the Governor-General and Commander-in-Chief in India. I leave the first party to be defended by those who feel inclined, or are able, so to do; but you must allow me to observe, that you have done no little injustice to the latter personage in coupling his name with that of the Governor-General. From the candid and correct manner in which your statements are generally made, I feel convinced that you have no other intention than to elicit the truth, and I write this letter in full confidence of its being inserted.

As it will be necessary to state how far I may be qualified to express an opinion, previous to that opinion carrying its due weight, I shall observe, that I was at Calcutta, fitting out the expedition after the declaration of war; was in constant communication with the several departments, and personally acquainted with every body in office; was employed at Rangoon during the rainy season, and subsequently returned to Calcutta. Whether, under such circumstances, my opinion will carry any weight, I cannot tell; but to avoid prolix and unnecessary detail, it is simply this—

That Sir Edward Paget's advice and opinion was not attended to at the declaration of the war or commencement of hostilities; and that if Sir E. Paget had not been overruled by others much inferior to him in judgment and experience, the war would have been entered into at the proper season; that the armament would have been more effectually equipped and supplied; and that his *good sense* would, in all probability, long before this, have extricated the East India Company from their present embarrassing situation.

I state this in justice to a person with whom I have had little personal intercourse; and am, Sir, your very obedient servant,

A CAPTAIN IN HIS MAJESTY'S NAVY.

NOTE OF THE EDITOR.

We readily give insertion to the letter of our candid Correspondent, who does no more than justice to our motives and our wishes. Neither of Lord Amherst nor Sir Edward Paget have we any personal knowledge; nor towards either of them have we any personal feelings either of a favourable or unfavourable kind. As historians of passing events, we deem it our duty to let every voice be heard, either for or against the public acts of public characters; and we endeavour—with as much justice as imperfect man can exercise toward his fellow-beings, on the best evidence that comes before him—to give our honest and impartial opinion on the conflicting statements of the different witnesses who offer their testimony. The nearer we can approach the truth, the more we are gratified; and when we have reason to believe ourselves instrumental in doing justice to others, we know of no higher gratification.

MR. WARDEN—AND THE JUDGES OF THE KING'S COURT  
AT BOMBAY.

*To the Editor of the Oriental Herald.*

SIR,—The letter which you did me the favour to insert in 'The Oriental Herald' for April last, has called forth some vituperative remarks in 'The Bombay Courier' of the 27th of August, in which the Editor of that paper denies (but on what authority he does not state) that 'The Bombay Gazette' had been influenced by a member of Government, to misrepresent the proceedings of the Supreme Court; and he adds his belief, that such influence would not have been used towards the Courier, or that even if it had been used, it would not have induced *him* to give publicity to gross and unfounded calumnies against the Court, &c.

I have no inclination to combat the reasoning of the Editor of the Courier on the subject alluded to, and I only avail myself of it as an occasion on which to offer some remarks on the Manifesto lately issued by Mr. Warden at Bombay, (a copy of which was inserted in 'The Oriental Herald' of December,) as it incontestably establishes the truth of the allegations contained in my letter above-mentioned; namely, that 'The Bombay Gazette' had been influenced by a member of Government, avowedly hostile to the Court, in misrepresenting its proceedings, a fact which Mr. Warden's own statement fully proves. In the first paragraph of that extraordinary document, Mr. Warden admits, that he is "connected with the Presidency of Bombay," and "that he has vested a portion of his property in a periodical publication."

The fact is, that Mr. Warden was, during the time whilst the Gazette was misrepresenting the proceedings of the Court, the principal, if not the *sole*, proprietor of that paper; he was also, during the whole of that period, and probably still is, the chief proprietor of 'The Bombay Courier;' and he states, that he is not aware of any obligation, moral or political, prohibitory of a civil servant in Council being proprietor of a newspaper.

Surely Mr. Warden must know, that by the law of England, the proprietor of a newspaper is responsible, criminally as well as civilly, for its contents, and such responsibility is most essential to the security of the public; as, if it did not exist, a wealthy and powerful proprietor might, by employing a needy and desperate editor, who had neither character nor substance to lose, publish libels *ad libitum* with impunity. But members of Council are by law exempt from all criminal responsibility to his Majesty's Courts in India, except in cases of felony or treason; and although they are, I believe, liable to be proceeded against as for a contempt of court, it must be a very strong case, indeed, that would justify any court in proceeding against a part of the Government itself as for a contempt. This alone shows the gross

impropriety of a member in Council being proprietor of a newspaper. But there are other reasons: the opposition of his duty and interest when proprietor of a Government paper, which 'The Bombay Courier' is, and in which all Government advertisements are inserted and paid for by the East India Company at an exorbitant rate, and consequently the more Government notifications that may be foisted into it, the more profitable must it be to the proprietors. Is it fit, then, that a member of Government, whose special duty it is to control the expenditure of the public money, should have a pecuniary interest in a concern which is dependent upon that Government for the principal part of its profits?—

In the second paragraph of Mr. Warden's paper, he says, "That his object in writing it, is to expose an unfounded insinuation in 'The Oriental Herald,' proceeding from a quarter entitled to more consideration than the Editor of that work;" and in the next paragraph, he states the insinuation to be, "that the Gazette being entirely influenced by Mr. Warden as its proprietor, the publication of the reports of the proceedings in Court, in a partial or incorrect manner, has been systematically pursued, and that calumnies have been published in the Gazette against the Court, under the encouragement of Mr. Warden."

Now is this an *unfounded* insinuation? I aver that it is not. The premises are not denied—

1st. That the Court's proceedings were systematically published in a partial and incorrect manner in the Gazette, and that calumnies against the Court were inserted in that paper. The correspondence between the Bombay Government, of which Mr. Warden is a member, and Mr. Fair, the late Editor of the Gazette, sufficiently proves this. And

2dly. That Mr. Warden was proprietor of the Gazette; a fact unequivocally admitted by himself.

Is then the inference, that all this was done under the encouragement of Mr. Warden, "*unfounded*?"

I believe that all the Judges of England would draw the same inference from these premises; and if Mr. Warden was proceeded against in the Court of King's Bench, for the gross misrepresentations with which 'The Bombay Gazette' has lately teemed, he would not be able to say, or to show, that it was unfounded.

But farther, the letter quoted in 'The Oriental Herald' says, "The Gazette is entirely influenced by one of our members of Council, who is its proprietor."—And Mr. Warden himself says, (in the sixth paragraph,) "that I have exercised an influence over the press of this Presidency, I have no hesitation in unreservedly acknowledging."

But it well becomes Mr. Warden to complain of unfounded insinuations! What does he insinuate in the 2d, 3d, and 4th paragraphs of his Manifesto? Observe the word *ow*, printed in large letters, not in 'The Oriental Herald,' but in the Manifesto; and mark the following sentence: "And from whom does this charge proceed? From one obviously connected with the Supreme Court. I should hope the author was one of its subordinate officers &c.;" thus insinuating, in language which

it is impossible to misunderstand, that the letters referred to in his statement, were sent to the Editor of 'The Oriental Herald' by one of the Judges of the Supreme Court<sup>4</sup> insinuating, in fact, without a shadow of proof, that a Judge of the Supreme Court had forwarded to the publisher of a periodical paper, "calumnious attacks upon the character," and "unfounded insinuations, calculated to undermine the official reputation, of one of the members of Government." And here let me ask, what could be Mr. Warden's motive, in circulating among the society at Bombay, and delivering to each of the Judges, a paper containing such a calumnious libel (for it merits that appellation) upon the Judges themselves? Mr. Warden considers himself as responsible *only* to his official superiors, the Court of Directors; and I can imagine no other motive for the gratuitous circulation of such an objectionable document at Bombay, than a wish to increase and perpetuate that violent party spirit against the Court, which Mr. Warden himself had been so mainly instrumental in originating. It is remarkable enough that Mr. Warden sees in the phrase "*our* proceedings in Court" an undoubted proof of the letter being written by one of its Judges: but although, in the same letter, there occurs the phrase "*our* members of Council," he makes no similar inference as to the author being one of *that* body. The only explanation of this sort of half-sight, is, that it did not suit his purpose to see more than one side of the question.

I now come to the 5th paragraph of the Manifesto, in which Mr. Warden says: "I am free to acknowledge, that my private feelings and friendships have powerfully preponderated in favour of those individuals whose cases have so much agitated and disturbed the harmony of this society."

Those who are at all acquainted with what has been passing at Bombay during the last two or three years, are no doubt quite aware of the powerful preponderance of Mr. Warden's feelings, if not in favour of the individuals alluded to, at least against the Court. But, for a member of Government to assert, in a printed paper circulated throughout the community, and delivered by himself to the Judges, that his feelings have powerfully preponderated in favour of individuals who had been punished by that Court! Is this a proof of his boasted "neutrality"? Is this a proof that he is fully sensible of the "public duty it was incumbent upon him to respect and fulfil towards the Supreme Court"? Or is it thus he endeavours to uphold the respect due to that Court? Is it not, in short, a conclusive proof of his hostility to that Court?

In the 6th paragraph, Mr. Warden attempts to show that he had not sufficient influence to prevent the Gazette from calumniating the Court. "If," says he, "a libel, a contempt of court, or a calumny, has been published in the Gazette," (and mark, he does not deny that all this has been done,) "it only proves the inefficacy of my influence." But will it be believed, that Mr. Warden, a member of Government, sole proprietor of the Gazette, with the exception of a small part given by himself to the Editor, had not influence enough to

prevent that Editor from libelling the Supreme Court? And in the same paragraph he says: "Had I perceived any disposition in the late Editor to violate the regulations of the press," &c. Did not the Government, of which Mr. Warden is a part, direct a letter to be written to the Editor of the Gazette in March 1824, warning him to be more cautious in his observations upon, and his reports of, the proceedings of the Court? This letter is referred to in the correspondence that took place between the Bombay Government and Mr. Fair, the late Editor of the Gazette; and how can Mr. Warden, after this, say, that he did not perceive any disposition in the late Editor to violate the regulations of the press?

So much for Mr. Warden's Manifesto, which, I think, it will be admitted, fully establishes the truth of all that has been alleged by your Correspondents as to the mode in which he has exercised his influence over the press at Bombay.

A. B.

Piccadilly, February 6, 1826.

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#### INDIAN PLURALITIES AND ABUSES OF PATRONAGE.

THERE is no abuse perhaps more common and more pernicious in India than the abuse of patronage; by which appointments that ought to be the reward of long and meritorious services, are given away to undeserving favourites; and situations that ought to be held by men of tried abilities, are intrusted to those of little or no experience. Very often, to aggravate the evil, many different functions are at the same time heaped upon one individual, who cannot possibly, whatever were his qualifications, give adequate attention to all his numerous duties; while the talents of many others, among whom they might be shared, are passed over and lost to the public service. It is unnecessary to enlarge on the ruinous consequences of such a system, while merit is withered under the chill of neglect, and only the arts of sycophancy and adulation are seen to flourish. The stimulus to enterprise is taken away from the truly deserving, and the highest offices, where superior talents are necessary, become encumbered with incapacity and inexperience. This must always be the case while such men as Lord Amherst are sent to India, not because they are qualified to wield the sceptre of power, but because they are favourites at Court, and grasping at the emolument of office. The same principle which raised them to that pinnacle of authority, will naturally descend from them downward, through all the inferior gradations. As instances of this meet us at every step, we mean here to throw together a few that are mentioned in the last letters received from India. One writes that—

"Lieut. M'Mahon of his Majesty's 16th Lancers, a young man who hardly knows where his regiment is stationed, is now on leave

of absence pending an application to retire on half pay; is holding a situation as Justice of the Peace in the police of Calcutta; drawing, no doubt, his allowances for both departments.

“ Mr. T. Milner of the Marine board, is harbour-master, and holding a surveyorship in the Bengal insurance society; by this means depriving an honest man of a chance of supporting his family.”

The Company employs a master builder at Calcutta on a given salary; yet, during this war of ruinous expense, the work has been let out to others, who are to come in for their share of the public money. One of these is an old Editor of ‘ John Bull,’ whose subserviency has not yet, it appears, been sufficiently rewarded by three or four other appointments.

There is still another species of the abuse, familiarly called jobbing, which consists in the contrivance of useless situations or expeditions, simply for the purpose of giving certain favourites the emoluments attending them. Of this kind we are told was the appointment of Commodore Hayes to command a flotilla of war-boats, on foreign service, against the Burmese. “ This,” it is declared, “ was as complete a job as ever was heard of. His pinnace was fitted up at an expense of about 50,000 rupees, and he was in the receipt of about 6000 rupees per month, though all that he has done, or ever will do, is not worth six hundred. But he has been a great courtier of late, and in high favour with Lord Amherst.”

To these, we subjoin a list that has been sent us of the Medical pluralities at Calcutta. From this list, (which we suspect to be incomplete,) of what has taken place at the metropolis alone, within a few years, we may form a conception of the numerous abuses of patronage over the whole of India.

#### MEDICAL PLURALITIES AT CALCUTTA.

Mr. Henry Young, Assistant-Surgeon, now returned to England, held—1st. Deputy Apothecary to the Dispensary at Calcutta; 2d. Surgeon to the Zillah of the 24 Pergunnahs, five miles distant; 3d. Surgeon to the Native Insane Hospital; 4th. Surgeon to the Calcutta Militia, from 1700 to 1900 strong; 5th. Surgeon to the Mysore Princes and their establishments, four miles from Calcutta; 6th. Surgeon to the Allypore Jail, in which are some thousands of prisoners; 7th. Surgeon to the Calcutta Free School, containing some hundreds of children; 8th. Surgeon to the Convicts working on the Barrackpore Road, which extends sixteen miles from Calcutta, an appointment created in Lord Wellesley’s administration, when the road was first made, but which has remained, although the road itself has been finished these nineteen years!

The above string of appointments are now held by Dr. Strong, an Assistant-Surgeon, with the exception of the Calcutta Militia and the Free School, the first of which is now held by Mr. Adam, as one of his appointments, and the latter by another individual.

The late Mr. James Jameson held, Assistant-Surgeon—1st. Secretary to the Medical Board; 2d. Secretary to the Committee of Stationary (now held by the Rev. Dr. Bryce); 3d. Surgeon to the Calcutta Free School; 4th. Professor of Anatomy, Surgery, Chemistry, Pharmacy, and Physic, in the School for Native Doctors in Calcutta.

Dr. Mellis, Assistant-Surgeon, held—1st. Presidency Surgeon; 2d. Marine Surgeon; 3d. Examiner for the Life Insurance Offices, a private appointment; 4th. Indigo Planter and Trader; 5th. Soda Water Manufacturer.

Mr. James Atkinson, Surgeon, held—1st. Editor of the Government Gazette; 2d. An Office in the Mint; 3d. An Office in the College, not professional.

Dr. Adam, Assistant-Surgeon, held—1st. Second Assistant, General Hospital; 2d. Surgeon to the Calcutta Militia; 3d. Medical and Commissariat Contractor for Insane Europeans at the Presidency.

Dr. Abel held—1st. Apothecary-General; 2d. Superintendent of the Company's Botanical Gardens, many miles below Calcutta, towards the sea; 3d. Body Surgeon of the Governor-General, residing chiefly at Barrackpore, many miles above Calcutta, inland.

Besides all this, he was once seriously proposed, and obtained the Governor-General's consent to do the duties (or at least to receive a handsome salary for pretending to do them) of Editor of a Daily Newspaper at Calcutta, and might perhaps have added this to his other duties, by which his services were required at a distance of sixteen miles to the north, and nearly as many to the south of that capital!!

#### PARLIAMENTARY DISCUSSIONS ON THE AFFAIRS OF INDIA.

THE meeting of Parliament on the 2d ult. has brought the affairs of India incidentally under the discussion of that august assembly. In the opening speech, "his Majesty regretted that he had not to announce the termination of hostilities in India; but the operations of the last campaign, through the bravery of the forces of his Majesty and the East India Company, and the skill and perseverance of their commanders, have been attended with *uniform success*." Those who put these words into his Majesty's mouth, must have forgotten that one of the principal divisions of the army destined to penetrate into the enemy's territory, right across from our Sylhet frontier, had been compelled to abandon the attempt after every effort of skill and perseverance had been exhausted. Was this "*uniform success*," or "*success*" of any kind? In the same campaign, an attack upon the island of Ramree had failed; though it was some months afterwards renewed with success. Another division of troops, under General Cotton, was repulsed in an attack on Donabew; a failure which caused a retrograde movement of the main body under General Campbell. Thus, in every quarter, (with the exception of Assam,) we find that the campaign has been one of various fortune; and all we are justified in saying, is, that upon the whole, our troops have *advanced* in spite of all opposition. But, as observed by Colonel Stewart, they have advanced not above 100 miles from the sea-coast, after the consecutive efforts of three campaigns. After all, they are yet only on the outskirts of the Burmese empire, in the conquered provinces, Pegue, Arracan, &c., not one of our regiments having yet been able to plant a standard on the



territory of Burmah Proper. This is the amount of our "*uniform success*," obtained at an expense, and by a sacrifice of human life, so very great, as almost to incapacitate the Government from continuing the war.

Next, the mover of the address, (Mr. J. S. Wrottesley) re-echoed, as in duty bound, the sentiments of the speech, observing, "With regard to the war in the Burmese empire, however its protracted duration might have disappointed the expectations of those who had not the means of judging as to the probability of speedy success, there was *every reason* to hope that it was drawing to a close." "*Every reason*," that is to say, *no* particular reason whatever, which could be mentioned as justifying such a hope. For what better means have they now of judging of the probability of speedy success, than they had before, when they deceived themselves? And the House seemed to forget, that while groaning under the present financial difficulties of the country, we were, under the fiction of a Company, actually throwing away the public treasure in the dubious pursuit of the uncertain phantom of conquest in a miserable country, which would never pay the expense of subduing it. Mr. Hume reminded them of this, urging the House to "look with great jealousy at the continuance of any system, which might have the effect of adding a heavy load to the already enormous debt of this country. Hopes had been held out of a speedy termination of the contest; but instead of advancing to conquest, our troops were wasted away in a climate far more deadly and destructive than that of Walcheren had proved."

On the report upon the address being brought up, Sir Charles Forbes remarked on the statement of Ministers, that none of the Native Powers had shown a disposition to oppose us in aid of the Burmese: "He was glad that his Majesty had not repeated that statement from the throne; for he was well assured that several of the Native Powers had shown a strong inclination to oppose us. The Burmese territory had been *unjustly invaded*; therefore, there could be no disgrace in our abandoning the country by a retreat of our army." In reply, Mr. Wynne asked, "If any one could deny that actual aggression had been committed against us by the Burmese; and that an evident disposition to commit such aggression had for a long time been manifested?" Thus the worthy President of the Board of Control, in attempting to justify Lord Amherst's war, shrunk entirely from the proof, by calling upon his opponents to prove the negative. Prove to me, says Mr. Wynne, that "no Burmese elephant-hunter or rat-catcher ever poached upon our side of the frontier; that no Mugh fisherman ever cast his nets too near our shore; and over and above all this, prove to me that there did not exist in the golden foot of any Burmese, high or low, a disposition to encroach upon us; then, and not till then, 'I will admit my friend Lord Amherst to have erred.'"

Next, "he denied the existence of any *unfriendly* disposition among the Native Powers towards us." In so far as assertion goes, nobody ~~more~~ can argue better than Mr. Wynne. But, what does

Sir John Malcolm, and other writers on India, declare to be the constant feeling of the Natives—their meditation by day, and their dreams by night—but schemes for the expulsion or extermination of the British race? Is there no unfriendly feeling in the rebellion of Bhurtpoor, the contumacy of Jeypore, or the insurrection in Cutch, which entail upon us the necessity of supporting three wars at one time?

Another recommendation of the Burmese war is, its being an “offensive,” not merely a “defensive” one; because the former admits of our choosing our ground where it could be carried on with the greatest convenience and advantage to ourselves. Then, was Rangoon, was Arracan—the graves of so many thousands of our troops—chosen as rainy quarters for their comfort and convenience? The President, however, alleges that the sickness and mortality “did not arise from any peculiarity in the climate, but from causes which must always attend, in a greater or less degree, campaigns in India.” This is complete mysticism; or why are our troops more unhealthy at Arracan than at Prome, both having been engaged in similar service and with similar comforts and allowances? But, if Mr. Wynne would make trial of a year’s residence on the island of Saugor, or among the hills of Sylhet, or in the Arracan “valley of death,” he would cease to doubt that health depended on peculiarities in the climate.

Mr. Hume justly maintained, that it did not lie with him to prove the injustice of the war, but with the right hon. President of the Board of Control to prove its justice. Yet, not a document for that purpose had been laid on the table of the House. There was nothing to show that the Burmese were at all anxious to provoke a war, or were at all unwilling to give satisfaction on reasonable cause of complaint against them being made out. As to the alleged prospect of a speedy and successful termination of the war, he asked if the right hon. Gentleman could produce any official documents, or even any letters from persons in authority, leading to that conclusion? In reply, Mr. Freemantle (a member of the Board of Control) stated, “that there was hardly one arrival from India which did not bring letters from the *best* informed quarters, holding out strong hopes that the war would soon be terminated successfully.” Now if every vessel that has arrived from India (for how long a period back is not mentioned) has brought letters from persons in authority, holding out “strong hopes” of this kind, and yet that notwithstanding this, the war still goes on, what more conclusive proof could be desired, that these “best informed” persons are totally incompetent to judge, and their letters delusive in the extreme? Such is the excellent information of the India Board! And then Mr. Wynne advises Mr. Hume not to found accusations against public officers upon mere “trifling gossiping private letters.” Upon which Mr. Freemantle, taking his cue from the President, supports his leader in the following happy strain: “In order to show the utter worthlessness of the statements in these gossiping private letters, he mentioned an individual instance of *one*, which asserted, that in a certain regiment sickness prevailed to such an extent that there was not a man fit for duty; and that, at the very moment

when 300 men of the regiment were actively doing duty." This is exceedingly well in its way; but we should like to compare names and dates, to see if the "certain regiment" meant, was the identical regiment with the 300 effective men; and that the time when they were in this state, was the very time when the letter was written, or to which it applied. But admitting this error to the fullest extent, the argument drawn from it amounts to this, that because *one* out of ten thousand letters received from India contained a gross mistake, therefore all private letters received from India—the 9,999—are *all* to be disbelieved! Such is the reasoning addressed to the "collective wisdom" of the nation, by the most wise and well informed Commissioners for the affairs of India.

The same gentlemen defended the Barrackpore massacre; but on this, one word is sufficient. If they think the transaction justifiable, why do they not place it beyond doubt, by laying before us the proceedings of the Court of Inquiry? Their withholding all information on that subject admits but of one interpretation.

#### THE MARQUIS OF HASTINGS AND COLONEL BAILLIE.

THE late debate at the India House on the Oude Papers, (a report of which will be found in our subsequent pages,) calls for a few remarks from us, as we regret to observe that considerable misconception exists on the subject, which, however, is not at all surprising when we consider the huge mass of evidence that must be read and digested before it can be properly understood. As few, indeed, will give themselves that trouble, Colonel Baillie, from his intimate personal acquaintance with these voluminous documents, enjoys an extraordinary advantage in the discussion; it being very easy to select from the mass such parts as may favour the impression he desires to make. Notwithstanding this, his speech in self-defence, at the India House, was the most complete failure that could possibly be, in as far as regards reasoning supported by evidence on the record. He, in fact, totally abandoned his case against Lord Hastings, virtually retracted all his charges against that nobleman, and was content to set up a very doubtful claim of merit for himself. The case which he was bound in honour to make out against Lord Hastings consisted of the following charges, published under the signature of Colonel Baillie, at p. 1024 of the Oude Papers:

1st. That Lord Hastings had falsely asserted in his Summary, that the Nuwaub of Oude had, during the war with Nepaul, come voluntarily forward with a *spontaneous* offer of more than two crores of rupees as the price of his emancipation from a painful and degrading thralldom, in which he and his father had been held by the Resident.

2dly. That Lord Hastings, in that Summary, had falsely asserted

that there was an understanding between the late and present Nuwaub on that subject, or as to pecuniary or other affairs with respect to the British Government.

3dly. That Lord Hastings had falsely asserted, that the present Nuwaub of Oude had made him "a spontaneous offer of a crore of rupees or *any* sum of money;" and that the first crore was, on the contrary, only consented to be given in loan, and that with great reluctance, at Colonel Baillie's "earnest entreaty."

A perusal of the debate will show that the now "honourable Director" abandoned all these, not to mention other equally serious charges of breach of veracity contained in the same page to which we have referred, (Oude Papers, p. 1024). As to the most important charge of all, which was, that the Marquis of Hastings had obtained two crores of rupees by extortion from a Native Prince, the reader will be astonished at the course pursued by the Ex-Resident. It is this: "If you allow that there was any merit in obtaining these loans, and that a very large portion of it belongs to me, I will admit that they were 'voluntary;' that is, 'non-compulsory;' I should rather choose to call them 'persuasive,'<sup>1</sup> that is, the result of persuasion. But if the merit of them be claimed for Lord Hastings, then I declare them to be abominable 'extortions;' to disgrace him, I will confess myself to have been the instrument of extortion, the thumb-screw employed in compelling his victim to comply with his cruel demands."

We shall in a few words destroy both these positions, and show that there was no reluctance on the part of the Vizier to advance the first loan, and very little as to the second, except, perhaps, as to the amount of it; but if there had been such reluctance, that Colonel Baillie had no merit in overcoming it. For this we shall adduce the most unexceptionable evidence—that of his own letters. From various passages, it appears that all the reluctance was on his own part, because he thought the loan transaction would weaken his influence at the Court of Lucknow. Being directed, however, by Lord Hastings to propose the loan, he says, (p. 953,) "Nevertheless, it was my duty to obey the instructions with which I was charged, and the result of my negotiation was successful with reference to the public views, although applied by the malice of my enemies to *weaken my influence* at Court. I arranged with his Excellency the Vizier, that his offer of a crore of rupees should be made at a conference with Lord Moira on the morning of the 13th of October."

Now it was only on the evening of the 10th of that month the subject had been proposed to the Resident, who could hardly therefore have opened it to the Nuwaub before the 11th; yet the latter

<sup>1</sup> How difficult it must have been for the Marquis of Hastings to characterize in unexceptionable terms, a loan for which the Ex-Resident finds it necessary to coin a new phrase, which would puzzle the professors of the Stock Exchange! "A persuasive loan" it was in one sense, being intended to persuade the Governor-General that the Nuwaub was the friend of the British Government, and that his Lordship ought, therefore, to oblige him by delivering him from the dictatorship of Colonel Baillie.

agreed to offer it on the 13th to Lord Moira. And from another part in the papers, (p. 711,) it appears that the Nuwaub actually tendered it even before the time stipulated—that is, at a conference on the 11th of October—with almost breathless haste! Where, then, was the reluctance or the “earnest entreaties” by which it was overcome?

How was the loan to weaken Colonel Baillie’s influence at court?—the reason is to us plain. The Nuwaub, who stood in terror of the Resident, was eager to secure the friendship of Lord Moira, as his only hope of getting rid of such dictation. The loan afforded an excellent opportunity of conferring a favour on the Governor-General, which would give the Nuwaub confidence to appeal to him against the Resident’s encroachments on his authority. Hence the Nuwaub was as glad to grant, as the Resident was reluctant to ask, the accommodation for Government. This appears very plainly from a *private* letter of Colonel Baillie, given at p. 1027 of the Papers. He says to Mr. Edmenstone—

Shall I tell you any thing of my trip to Cawnpore to meet the Governor-General? I had better not, I believe; for I have nothing pleasant to communicate. I was desired to propose to the Nuwaub that his Excellency should propose to Lord Moira to make a voluntary loan to the Company of a crore of rupees: his Excellency did so *accordingly*, [Now, where is the “reluctance,” or the “earnest entreaty?”] and his proposal was graciously received. To reconcile a proposal like this with all my original disinterestedness, was an effort of diplomatic effrontery, you must admit; but mark the sequel and admire. His Excellency has proposed in return that Lord Moira should propose to his Excellency to put a stop to the *system of reform*; that is to say, Hukeem Mehdee Alee Khan has drawn up a long string of extraordinary propositions, (the above being one of them of course,) which he induced the poor Nuwaub to give in, without understanding them himself, or informing me of their nature; and afterwards to support it, as I am told, with the offer of a crore of rupees as a gift instead of a loan, at a second conference with the Governor-General.

Here is a distinct confession of Colonel Baillie’s belief that the Nuwaub was not only perfectly ready to make the loan, but willing and glad to present the money as a gift, on condition of being relieved from the encroachments of the Resident on his power and authority, which usurpations are cloaked under the specious title of “a system of reform”! A “reform” which was to give Col. Baillie an immense range of patronage, and the immediate control over the civil, as he already had over the military, administration of Oude. This is a sufficient proof, if any were needed, of Lord Hastings’s statement, that the Nuwaub was willing to open his treasury with a liberal hand, on condition of being relieved from the thralldom of the Resident. More than this, we have Colonel Baillie’s statement, (p. 955,) that the Nuwaub was so eager to get rid of himself and his “reform,” that he would have given, according to report, two lacs of rupees merely to ascertain the sentiments of the Governor-General as to the possibility of such a deliverance!!

The first loan, therefore, was not only voluntary, but given with the utmost alacrity; it would have been joyfully given, even as a free

gift. Colonel Baillie has nothing to allege to the contrary, but the terms in which the consent was expressed, in a sort of written promise, which he exacted from the Nuwaub. This is certainly a most singular document, and Colonel Baillie's request to be furnished with it (surely a most ungracious proceeding on such an occasion) was no small proof of what he calls his "diplomatic effrontery." But as it was written merely to please the Resident, and he was accustomed—more especially at that time, when he held the Nuwaub in complete tutelage—to dictate the very words in which public despatches should be couched, we consider Colonel Baillie himself accountable for the terms of that promise. If it demonstrate any reluctance, it is because it was his pleasure that it should do so, in which the Minister, Agha Meer, a mere creature of his own, would take care to forward his views. The Nuwaub certainly did not write that paper without consulting one or both of them; and it was the interest of both to prevent him from acting in that liberal and handsome manner which might secure the friendship of the Governor-General.

In the sequel, Lord Hastings refused to remove the Resident, when a severe remonstrance was presented against him by the Nuwaub. A solemn deputation of Colonel Baillie's three friends, Messrs. Ricketts, Swinton, and Adam, made the affrighted Prince retract his charges, lest, by giving offence to so powerful a personage, he might be deposed from the throne.

Now, as to the second loan. The hope of deliverance from Colonel Baillie, under which the first loan was given, being disappointed, it was natural the Nuwaub should demur about giving another, seeing that this mode of courting Lord Hastings's friendship had proved ineffectual. Yet, when he was assured that his Lordship was in real difficulty, and would take such a supply as a very great personal favour to himself, the Nuwaub complied. In our view of the case, therefore, the only reluctance about the first loan existed in Colonel Baillie's own mind, not in that of the Nuwaub; and that the greatest, if not the only, obstacle to the second was, his continued presence at the Court of Lucknow. It was natural that the Prince should either resent the disappointment, by withholding his aid, or attempt *again* to make it the instrument of accomplishing his wishes. The delay might be intended to enable him to open a communication with the Governor-General, who was now at a distance from Lucknow.<sup>2</sup> The Nuwaub's consent was at last obtained, through the influence of a letter addressed to him directly from Lord Hastings, which proved to him that it would be felt as a personal favour by the Governor-General. Without this being evinced, the Resident declared the loan would not be obtained; so low was his own influence at the Court. Then, where is *his* merit in obtaining these loans—first or second? He was only the channel of communication through which Lord Hastings's wishes were conveyed, and had the same kind of merit with the paper on which they were written.

<sup>2</sup> In proof that this was the case, see pp. 723, 683, and Anon. Paper, p. 997.

Much stress is laid on the fact of Lord Hastings himself having bestowed commendations on Colonel Baillie's conduct in these transactions; but let it be recollected that, at the time these eulogies were written, Lord Hastings was quite in the dark as to many points of Colonel's Baillie's conduct, under that happy system of suppressing all freedom of discussion which (at that time, as at the present) exists in India. Afterwards, however, when his Lordship was able to penetrate behind the veil, he declared that, if he had known the real state of affairs, he would not have suffered Colonel Baillie to remain Resident at Lucknow. This must certainly go far to neutralise the value of any praise he had previously bestowed upon him; and we have then to throw into the scale his dismissal from office, with the full sanction of the Supreme Council and Court of Directors.

We must now add, that the manner in which the question was slurred over at the India House, by an adjournment of the Court, is really another indirect condemnation. For, what means such silence, but that the Court felt they could not, with any conscience or decency, come to any vote that would not reflect severely on a member of their own body?

There is another point in Colonel Baillie's conduct respecting these loans to which we must advert,—his evidence before the Committee of the House of Commons. When his friend and relative, Sir Charles Forbes, who was one of that Committee, candidly told him to his face, in the Court of Proprietors, that his evidence on that occasion had conveyed an impression which was totally erroneous, there was observable in the countenance of the honourable Director a most remarkable expression—a shrinking of the nerves and muscles—a consciousness of something, to make even a diplomatist blush. How did he produce that false impression? Not, it may be supposed, by a direct assertion that Lord Hastings had been guilty of any thing criminal, but by vague and ambiguous hints, thrown out with an appearance of great hesitation and reluctance, indicating that he knew much more than he cared to tell. Like honest Iago, he would *rather not* become an accuser. He liked not the office. Yet, in the fairest palace, (not excepting that of Oude,) “vile things would intrude.” But his thoughts were his own; and, if he could help it, no one should wrest them from him. The effect produced on the mind of the Committee, as declared by his honourable relative, might be described in the words of Othello—

By heaven, he echoes me  
As if there were some monster in his thought  
Too hideous to be shown.—  
Thou didst contract and purse thy brow together,  
As if thou then hadst shut up in thy brain  
Some horrible conceit.—

The Committee were led to believe that the Marquis of Hastings had committed some deed of darkness which shunned the light of heaven; but when the matter is fairly explained, these injurious sus-

picious vanish. One only shred of evidence the honourable Director can appeal to, in support of his charges against Lord Hastings. This, which, like the charmed handkerchief in the play, ought to work wonders, is nothing more than the promissory note procured from the Nuwaub, couched in the following terms :

You mentioned yesterday the necessity of a supply of cash for the extraordinary charges of the East India Company ; as far as a crore of rupees I shall certainly furnish by way of loan ; but beyond this sum is impossible, and a voucher for this sum must be given. Further particulars will be made known to you by Agha Meer.

\* Supposing that the style of this note was not dictated by the Resident himself, or, what is still more probable, by his creature the Minister, agreeably to his suggestion—but the most improbable of all, that it were really the spontaneous untutored production of the Vizier's own mind ; let the words of it be weighed and conjured with in every fashion, what is there in them to support this immense superstructure of charges against Lord Hastings—charges of extortion, and every thing at which an honourable mind revolts ? On the evidence of this miserable scrap of paper—more equivocal than Othello's charmed handkerchief, " which an Egyptian to his mother gave"—the twenty-four honourable Directors think proper that the most disgraceful charges should be uttered by one of themselves, against a nobleman who has performed to them the most signal services, which deserve the lasting gratitude of them and of his country.

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#### ANOTHER SPECIMEN OF IMPARTIALITY FROM THE ' ASIATIC JOURNAL.'

To our Indian readers generally we need say nothing of the confirmed and apparently incorrigible character of the ' Asiatic Journal.' While, like its " honourable masters," it enjoyed a monopoly of the trade in misrepresentation as it regarded the affairs of the Eastern world, its delinquencies were secure from exposure in England, although they were " familiar as household words " to Englishmen in India ; and notwithstanding that the manifest decline of its reputation in the East has been entirely owing to the ignorance displayed by its successive conductors of most of the subjects attempted to be discussed by them, and the still more glaring misrepresentations of fact in those few of which they really *had* some slight knowledge, yet it is natural enough for persons of such a class to bear no friendly feelings towards an individual who was mainly instrumental in the work of reducing their pretensions to their proper level. But, that in the indulgence of their hostility to another, they should so far exceed all just bounds as to make the odium recoil on their own heads, is only another proof among many of the blindness with which reckless ignorance pursues its own supposed advantage.

In the ' Asiatic Journal' for February 1825, was inserted a letter from the Rev. Doctor Bryce, of controversial notoriety, full of the most inju-



rious aspersions on the character of Mr. Buckingham. The accused and calumniated individual addressed a letter to the Editor of that publication, repelling the charges of his reverend calumniator, and citing evidence to the facts on which he grounded his defence. The *impartial* Editor, after having, with his own hand, as it might be said, struck the envenomed shaft into his victim's breast, refused even his mere passive permission to the wounded individual himself, to draw it out, or apply a balm to the poisoned wound! In truth, *he* who had willingly spread the calumnious accusations, refused to permit the defence to appear in the same, or rather the succeeding, Number of his work! It is right, however, that his reasons for refusing to do so should be repeated. They were—1st. That the reply was too long, and would occupy too much space. 2dly. That much of it was irrelevant. And 3dly. That it contained obnoxious reflections on the Indian Government! The reply, however, was not quite one page longer than the accusatory letter against which it was a defence. Not a single paragraph in the whole related to any other topic than those advanced by the original accuser. And so free was the whole letter from what an Englishman would be likely to consider matter “obnoxious” to any Government, that it has since been printed, without the suppression of a single line, in more than one newspaper in Calcutta, where the press is acknowledged on all hands to be in a state of the most slavish subjection to the very Government in question; and its slavery defended by the ‘*Asiatic Journal*,’ which, calling itself *free*, would not dare to publish in England (avowedly on the grounds of its offensiveness to its masters) what a recognized and acknowledged slave, dependent on the mere will and pleasure of his rulers for subsistence, ventures to publish in India!!

This transaction alone will, as long as it is remembered, stamp the character of the publication involved in it with a brand of infamy that years of sycophancy to men in power will not be sufficient to obliterate. But to this mark of recorded injustice it has lately added another, directed against the same individual, to whose defence it before refused insertion; and, if possible, with still less excuse for its conduct. The facts are briefly these:

In the ‘*John Bull*’ of Calcutta, dated March 21, 1825, there appeared a paragraph, which asserted that Mr. Buckingham had no right to add, after his name, as conductor of the *Oriental Herald*, “Member of the Asiatic Society in Bengal,” as he was not then, nor had been some time previous to his departure from India, a member of that body. This paragraph was repeated in England by a virulent and acrimonious writer in a weekly paper called the ‘*Telescope*,’ which began its low career by abusing all who advocated the freedom of the press in India, and has since met the common fate of those who, having no principles of their own, affect to despise the possession of honesty in others,—its own profligacy having proved its end. Low and unworthy, however, as was the source from which this accusation sprang, and base and malignant as was the channel through which it was repeated, it was thought fit to advert to it in this publication,

for the purpose of showing its falsehood, and preventing its further repetition. This was done in the *Oriental Herald* for December 1825, and may be seen at page 559, where a long paragraph of sixteen lines, and in the largest sized type used in its pages, is entirely occupied with a refutation of the falsehood in question. Will the reader believe that, two months *after* this refutation had appeared, the '*Asiatic Journal*' not only repeated the calumny, but did so unaccompanied by any refutation; nay, not only unaccompanied by the refutation given to it two months before, but strengthened by the assertion that it had seen the paragraph long ago, and (in tenderness to the reputation of the accused, no doubt,) "had kept it back, in expectation of seeing the statement explained or denied;" but that no such explanation or denial having, to its knowledge, appeared, although the accusation had been repeated in the '*Telescope*' before named, "we think it incumbent upon us" (says the Editor) "to publish it."

Here is a specimen of what a man may become when he writes himself down "slave" to any body of men, or to the system he is bound to maintain. Had it been true that this Editor had really kept back the paragraph, in the hope or expectation expressed, is it possible that he should not have seen the refutation about which he was so anxious? And if so, where would he have expected to find it? Not in the '*Telescope*,' surely; for that, like his own impartial print, was open to *one* side only of a question: and after his own refusal to insert Mr. Buckingham's refutation of Dr. Bryce's calumnies, he could hardly expect his brother slanderer would have shown more liberality or justice towards the accused individual. The enemies of a free press indulge their hatred to it chiefly on the ground of its giving every man an equal opportunity of being heard; and they are at least consistent in refusing to hear any but those who echo their own sentiments. But, if not in the '*Telescope*,' where else might this anxiously-expectant Editor have been likely to turn his regards? That he is aware of the *existence* of such a work as '*The Oriental Herald*,' cannot be doubted by his own readers, though he may endeavour perhaps, now and then, to conceal the painful fact from himself; and fancy, like some others, that when he shuts his own eyes, no one else can see. That he *reads* '*The Oriental Herald*,' may be also safely inferred from his studious endeavours to pervert such passages of it as occasionally excite his ire, and from his occasional mention of its contents, as well as its title. That he knows the conductor of that Work to be the *same individual* as the one to whose defence he before refused insertion, he must also be aware, unless he has had the happiness to forget this last discreditable circumstance altogether. What, then, so natural, as that, in the impatience of his expectation, he should have looked through the pages of the *Oriental Herald* for the explanation which he was so anxious to behold? Alas! the most clear-sighted of mortals may look in vain for that which they are determined *not* to see. But whether such a determination does not betray a character wholly unsuited to any but a prejudiced,

bigoted, and inveterate enemy of all free and impartial discussion, let the reader decide; and if this be the character of the conductor of the '*Asiatic Journal*,' whoever he may be, the merits and value of the publication itself may be fairly estimated by the same standard.

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PRETENSIONS OF THE SEVERAL CANDIDATES FOR THE  
EAST INDIA DIRECTION.

THE penance which must be performed by every candidate for a seat among the Directors of the East India Company, is of such a nature, as to deter many from ever attempting it, as it is not all men who can brook the familiarities "with men of every degree" for so long a period as is required; though they might sustain the contaminating contact of hard hands, and still harder hearts, for a few days, as in the case of Parliamentary elections. But a personal canvass of three years!—a threading of all the devious mazes of this huge metropolis once in every quarter, keeping a Street Guide and Voter's Register always in the pocket, and leaving a card at every Proprietor's door to solicit the honour of the "vote and interest" of men, women, and children, who will sometimes keep the humble candidate an hour shivering in the hall, and then send him off "till a more convenient season." Why, this is a penance worthy of a Hindoo, and one for which scarcely any earthly reward would be an adequate compensation. If to be instrumental towards the good government of India, and the promotion of the happiness of its millions of swarthy inhabitants, were *all* that was to be attained by success, we should find few that would "toil and sweat through the heat of the day," for so long a period, to obtain it. But it has been truly said, "that the children of this world are wiser in their generation than the children of light;" and they who labour for the attainment of this object of their ambition, know well the nature and extent of their reward.

We doubt not but the whole career of the candidate, from his first beginning to go bare-headed at the India House, while all others remain covered, as an outward and visible sign of his inward and spiritual humility, to the dinner and sparkling champaign that crowns his triumph after a successful ballot, is to him one of intense anxiety and serious occupation. But to the great mass of mankind, it would appear, if detailed, to be one of the most hopeless pursuits; while to those who know any thing of what is really looked for in an East India Director, as well as the part he plays when firmly seated behind the bar, and separated for life from the "vulgar herd," to whom he was all obsequiousness while making them the ladder by which he reached his elevation, scarcely any thing can be more ridiculous,—we might even say amusing, were it not that something of melancholy will mingle itself with all serious reflections upon the

subject. If we had space at command, (which we have not at present,) we might exhibit some of the details of the "Rise, Progress, and Election of a Candidate for a Directorship of the East India Company;" but we shall bear it in mind for a future day, when less pressed by other subjects. A brief and hasty outline must now suffice.

The retired governor, or civil or military servant from India, as well as the captain of the Company's trading ships, (for from these classes are the Directors chiefly furnished,) find, after their being in England for a short period, that whatever may be the extent of the fortune they have brought with them from their various occupations abroad, it avails them nothing towards the enjoyment of that power and consideration which all who have once tasted, continue to desire. They find, in short, that amidst the aristocracy of rank, the power of office, and the wealth of "the city," they are mere units; and that their whole force united would be almost less than nothing. They are, therefore, humbled by neglect, and having few pleasures independent of the multitude, they are unhappy on that account: they cannot *ascend* to the higher circles; they will not (except for the purposes of canvassing) *descend* to what they deem the lower; and having few to sympathize with them in their middle state, except beings as unhappy as themselves, they find the country a vacant solitude, and the town a desert, notwithstanding its thronged assemblages and the never-dying hum of men. They are devoured by chagrin and *ennui*; and before the establishment of "The Oriental Club," were without even a place of common resort, where, in the language of the song, they might "all be unhappy together." There are exceptions to this general description, of course; but it is a picture that will suit by far the largest number of the class.

The cure for this unenviable state of mind and feeling, is to be found only in occupation and patronage, with the consideration inseparable from the exercise of the last. For mercantile pursuits, few have the requisite qualifications, and few the inclination; besides which, that would still leave the individuals in comparative obscurity. Parliament is open to all who have money; and 5000*l.* will secure a seat to any one desirous of the honour. But *there*, a retired Indian would be but one among six hundred, and consequently insignificant, unless he had the power of speaking well, or were sufficiently laborious to take such share in the business of the House as would command respect and attention. As, however, no consideration can be enjoyed in Parliament without talent or labour, and even then no patronage of importance attaches to a purchased seat, Indians of the class described, naturally shrink from this at first, though they sometimes find it an agreeable *addition* to their names after they are made Directors; the sound of "honourable member," and the privilege of franking, as well as occasional services to friends on committees, being not altogether unworthy even of an East India Director's consideration.

The last, however, is the great object of desire. *Here*, they can have occupation, without much labour or intense thought. *Here*, each man forms one among thirty only, and cannot, as in Parliament, be lost in the crowd. *Here*, he has a privileged seat, behind a barrier which separates him from the rabble; and sees a forest of hands held up to any motion or amendment which he may propose from within this hallowed enclosure; while in Parliament, even the Prime Minister of State stands on the same floor with the humblest of his fellow-subjects. *Here*, he attends once a week, for a few hours on the morning of a court-day; breakfasts at the India House, and dines at the London Tavern, each at the expense of others, besides receiving 300*l.* a year as occasional pocket-money; while in Parliament, he must attend calls of the House and division bells till after midnight, without breakfast, dinner, or pocket-money, except at his own expense. But the greatest distinction of all is, that *here* he has the means of dispensing patronage to an extent (as it was admitted in evidence before the House of Commons some years ago) equal to 10,000*l.* a year, in appointments in India and in England; while in Parliament—if the Ministry are strong, and his vote not worth buying—he has nothing but the solitary privilege of franking and freedom from arrest (which old Indians do not need, and are generally too honest, as far as personal debts are concerned, to use if they had it) in return for the money expended in the purchase of his seat.

That they should, therefore, first seek a seat in the Direction, in the belief that all other things will be then added to them, is easily accounted for; but the amusing portion of the whole (and it was for the purpose of adverting to this that we principally took up the subject in this paper) is the array of pretensions, which are put forth by zealous and, no doubt, well meaning supporters of the several candidates, in various resolutions—moved, seconded, and carried—in favour of the respective individuals patronised by each. The number now in the field are about a dozen: Sir Robert Farquhar, Mr. Henry Alexander, Major Carnac, Mr. James Stuart, Sir William Young, Dr. Mackinnon, Mr. Henry Tucker, Mr. Trant, Mr. Shank, Mr. Buller, Mr. Hughes, and Mr. Douglas; and, if their respective committees are to be taken as guides on the subject, the simple Proprietors could not fail to be much puzzled as to which to give their first vote; since it would appear, from the published resolutions in favour of each, that the Direction must be incomplete until they are all included in it.

First. Sir Robert Farquhar, having been a Governor, it is very desirable that *he* should form one of a Board in which the conduct of other Governors is so frequently discussed. Secondly. Mr. Henry Alexander, having been first a Civil servant in India, and then a *free* merchant, it is very desirable that he should be able to bring his varied acquirements and complete knowledge of free trade into active operation in managing the affairs of a close *monopoly*—the two things being so exactly similar! Thirdly. Major Carnac, who has performed many valuable political and military services in India, must be a great

acquisition to a body, who reward the highest services done in either capacity with ingratitude and insult; as in the case of Lord Hastings, whom their neglect has driven into exile; and of Sir David Ochterlony, whom Lord Amherst's treatment has driven broken-hearted to the grave; while he himself—the most destitute of civil and military talent that could well be found—remains in full possession of all his honours and rewards! Fourthly. Mr. James Stuart, who, when in India, was a professed advocate of Colonization and a Free Press, is recommended for a seat among men who hate the very sound of these portentous words, and have banished, ruined, and trampled to the dust, the few individuals who had sufficient honesty and courage to support these great questions against all temptations to abandon them. Fifthly. Sir William Young—but it is needless to proceed. The questions never arise, 1st, “What are the qualifications really required to make a good Director?” and, 2dly, “Does the candidate possess them?” But the order is reversed, and the questions proposed are, 1st, “What does the candidate really happen to know most of, among the little that he may know at all?” and, 2dly, “Is not this a species of knowledge which might be turned to good account in the Direction?” It thus happens that no man is deficient; for if he has not one good quality, it is likely he has another; and putting this in the fore ground, he is easily supposed to have all the rest.

There is no doubt whatever that Sir Robert Farquhar knows something of Government; Mr. Alexander a little of free-trade; Major Carnac a great deal of the political interests of India; and Mr. Stuart, Mr. Frant, Mr. Tucker, Mr. Shank, Dr. Mackinnon, Mr. Hughes, and Mr. Buller, each something of the Civil Service, the China Monopoly, and Banking. But that these are not at all requisite for the qualifications of a Director, is sufficiently proved by the fact, that many Directors are elected (among which may probably be included all the maritime class) who have never studied, and never pretend to know much of either, but who make as good Directors, and as good Chairmen, as any other. The truth is, that neither the Directors nor Proprietors have any interest whatever in the good government of India, unless the keeping it in complete subjection may be considered good government. Their only interests are to increase the extent of territory, and with it extend their patronage for new appointments, without endangering its total loss, as that would put an end to the golden egg altogether. They have not even an interest in increasing its productiveness; for, whether the country be flourishing or in decay, they provide their  $10\frac{1}{2}$  per cent. for dividend—and beyond that, few Proprietors have another thought. But even if the candidates really had the qualifications assumed for them, and were more intent upon the good of the country than on their own private purposes, (which some few may sincerely be,) it would be of no avail. All the knowledge and virtue that a man could take with him into the Direction would be lost in the preponderance of the opposite qualities in his colleagues; and if he retained them untainted while he re-

mained at the bottom of the scale, they would gradually decay with time and vexatious opposition, till, by the period of his reaching a sufficient standing to be influential, his apathy and indifference would be as great as those by whom he would have been for so many years surrounded.

We respect Sir Robert Farquhar's general character: we esteem Mr. Alexander's good qualities and great urbanity: we admire Major Carnac's love of justice and deep interest in the welfare of the Natives: we think highly of Mr. Tucker's useful information: we venerate Mr. Trant's virtues and benevolence: and we have some hopes in Dr. Mackinnon's firmness, (for we are told that he *has* opinions of his own, and knows how to maintain them,—qualities that will be useful on many occasions;) but, notwithstanding this, if they were *all* returned for the Direction to-morrow, we should still despair of seeing any change in the system, which is now too old in corruption to be patched and amended with any advantage. The day is hastening for the application of a more effectual remedy—its complete and entire annihilation. To use the words of an eloquent and powerful writer, whose book we would strongly recommend to the perusal of every man desirous of knowing the real state of India: "Already it begins to stagger, crack, and gape; and whoever shall contribute to its entire subversion, will deserve well of his country, of India, and of mankind."<sup>1</sup>

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IMPORTANT GEOGRAPHICAL DISCOVERY BY AN OFFICER  
EMPLOYED IN THE BURMESE WAR.

AFTER our pages were closed for the press, we received the following brief but highly interesting extract of a late letter from India, to which we readily give insertion. The source of the Burrampooter appeared as little likely to be discovered in our day as the source of the Nile; and when it has been found 1000 miles distant from its supposed position, the ignorance of its course near the head of the stream must have been still greater than that which prevails respecting the river of Egypt, and as complete as that of the outlet of the Niger. The extract is as follows:

Lieutenant Philip Bulton, of the Bengal Artillery, in Assam, has discovered the source of the Burrampooter river to be in a snowy range of mountains, North latitude 28 degrees, East longitude 96 degrees 10 minutes; 1000 miles distant from the place where it was before supposed to have had its rise.

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<sup>1</sup> On Colonial Policy, as applicable to the Government of India, 1 vol. 8vo. Published by J. M. Richardson, Cornhill.

SUMMARY OF THE LATEST INTELLIGENCE FROM INDIA AND  
OTHER COUNTRIES OF THE EAST.

BENGAL.

ACCOUNTS have been received from India by the *Malcolm*, from Calcutta, to the 21st of September, and Madras to the 20th of October, which, if confirmed, are of the most alarming nature. It is said that the Government is threatened with immediate war in Central India, as well as on the north-western frontier. General Campbell, who formerly talked of dispersing his enemies like chaff, had been dancing up and down the Irrawaddy in search of some ambassador who would treat with him on the part of the Burmese. Latterly, a flag of truce was reported to have been sent to them from Prome, and, according to the last accounts, an armistice had been agreed on—whether at our request or not is not expressly stated—but we think not at all doubtful, as great would have been the boasting if the Burmese had prayed for a cessation of hostilities. But of what use is an armistice to us, if we have obtained it, unless we can make an armistice with the climate, our most formidable enemy, which goes on wasting away our troops with operation as incessant as the destructive scythe of time.

If we may judge from the tone of the public journals in Bengal, there exists now a strong desire on the part of the Government there to find a plausible excuse for withdrawing from the Burmese war; and a feeling on the part of the public that this cannot be done without disgrace. The high Tory papers, which sometime ago declared that the sun of the house of Alompra was about to set for ever—now speak, in terms less lofty, of leaving the Golden Foot to shine undisturbed. If they can only save their honour by making a dash at the capital, and planting the British flag, though but for a day or two, over the lofty stables of the White Elephant, they think they may then retire with the satisfaction of having shown their prowess. So Buonaparte showed his prowess by capturing Moscow; and what did it avail him? Accordingly, those who seem to speak the sentiments of the public, ask, “Of what avail are those barren laurels? If you retire, will not the Burmese conclude that it is from your inability to prosecute the war farther, and consequently deem themselves invincible? After you have inspired them with this feeling, will you find them safer or better neighbours than before you brought them to this trial of strength? It is true they have been chastised, but not humbled, while they still bring large armies of fifty or sixty thousand men into the field.” The Government party flatter themselves that our honour may be saved by obtaining a cession of territory; but others think the Burmese Court will never submit to this; or if they do, only with a men-



tal reservation to avail themselves of the first opportunity which may offer to recover their possessions. Before even such a hollow peace can be formed, they must be induced to enter into negotiation; and at the present time, accordingly, our Government would be glad to see them offer to treat on any kind of terms.

It being reported that they had sent a flag of truce to Rangoon, Sir A. Campbell, our general and plenipotentiary, hastened down thither from Prome, in the steam-boat, but before he arrived, the messengers had taken their departure, it was reported, for Calcutta. It is to be supposed their arrival would be very acceptable to Lord Amherst, whose difficulties were daily increasing under the pressure of *three* pending campaigns. The scarcity of money was said to be already unprecedented. Since the Bhurtpoor affair and the risings in Cutch, the Native capitalists were beginning to entertain serious apprehensions as to the stability of the British power, and were, in consequence, converting their paper securities into hard cash. Their practice of hoarding on the approach of danger, is well known; immense sums are thus withdrawn from circulation, and the Government had found it necessary to go a begging for cash all over India! Orders were issued to all our collectors, residents at Native courts, &c., to borrow money on treasury notes, in any sums consisting of even hundreds of rupees above five. Sums due by Government were to be paid in the same paper coin if accepted. All these are symptoms that the Burmese war, so rashly and disgracefully begun, must have a speedy and still more disgraceful termination. A letter from Calcutta, dated in July, says:—

The only news of any importance from Rangoon is, that a difference of a serious nature exists between the *military* and *naval* commanders; the origin of which is not yet made public, and I doubt whether it ever will, while this system of darkness and corruption exists. However, it reflects very little credit on the parties concerned. You must be fully aware what effect a quarrel of this nature has on the minds of the Natives under their command.

The late meeting for a vote of thanks, &c., to Mr. John Adam, the Ex-Governor of India, as you must have heard, was very thinly attended. The papers are now going about begging for subscribers, and the men of authority, whose wishes are law, are compelling others under their influence to sign. Mr. John Palmer has refused to do so, on the ground, that when his former vote was given, it was for Mr. John Adam's *private* character; but as this was for his *public*, he (Mr. John Palmer) could not conscientiously do so, for more reasons than one."

The mortality among the natives of Calcutta from cholera, about the end of August, was so great, that 158 Musulmans, and from 70 to 80 Hindoos, are said to have died in one day. About a fortnight later, the number of deaths was estimated at so many as 400 per diem. Shortly after, a plentiful shower of rain having fallen, the sickness considerably abated. A specific of complete efficacy is said to have been discovered for this dreadful disease, composed of castor oil, laudanum, and brandy.

On the 23d of August, a meeting was held at the office of Messrs. Palmer and Co., for the purpose of considering the communications received from the Secretary to the East India Trade Committee of London. Letters from this body, dated from the 4th of November and 2d of December, 1824, were read, inviting information on the commerce, agriculture, and manufactures of the country, and stating that the annual expenses of the Committee would amount to 3000*l.*, of which 300*l.* was considered the quota due from the mercantile community of Calcutta. It was in consequence resolved to raise 3000 rupees per annum for 1824 and 1825, by subscription, to hold half yearly meetings in April and November, and to appoint the following gentlemen a Committee, to co-operate with the Committee of Trade in London: Messrs. Mackillop, Boyd, Palmer, Ballard, J. Smith, J. Mackenzie, Larruleta, Gillanders, and E. Trotter. As this Association consists of perhaps a hundred and upwards of the most respectable merchants in Calcutta, and they invite intelligence from all quarters to forward their objects, it is to be hoped they will throw much light on the yet latent resources of India, which have been hitherto so sadly neglected under the present system of monopoly and exclusion.

A public meeting was to be held at the town-hall of Calcutta, on the 22d of September, for the purpose of paying some tribute of respect to the memory of Sir David Ochterlony. The following, from the 'Bombay Gazette,' evinces the prevalent belief that his death was, or would have been, a consequence of the insult offered him by Lord Amherst's Government, which caused his resignation:—

The energy and vigour of his comprehensive intellects had bid defiance to the ravaging hand of time, and the enervating effects of climate; and as *inactivity* was wholly incompatible with his habits and disposition, death to him must have been preferable; which, as it prevented his anticipated retirement, perhaps was fortunate; and with whatever severity of grief we may lament his loss, circumstances force us to acknowledge sentiments analogous to those expressed by Tacitus: *Tu vero felix, Agricola non vitam tantum claritate; sed etiam opportunitate mortis.*

It is stated, in a letter from Calcutta, dated Sept. 29—

The 1st and 32d regiments of Native infantry, now at the Presidency cantonment, are about to proceed on foreign service to Rangoon, and are expected shortly to embark; we understand the whole of the sepoys belonging to the 1st regiment volunteered to a man, and in a manner which could not fail of being in the highest degree gratifying to those who witnessed it. The 32d regiment also came forward in the most handsome manner; and only a few, not exceeding twenty, including all ranks, stated their inability to go on foreign service, from age, great length of service, wounds, &c.—The two regiments, we understand, will be ready to embark in ten or twelve days, or sooner, if required.

The troops in Assam and Cachar are reported to have been generally healthy, and the latest returns give only 112 sick out of the whole brigade on the Sylhet frontier. The latest accounts which have appeared in the 'Globe' Evening Paper, are as follows:—

We have received by the *Hope*, accounts from Madras of the 8th October, and from Calcutta of the 26th September. The Indian Government is making the most energetic preparations for the opening of the campaign, as the authorities seem now aware of the dreadful effects of the warfare in the Burmese territory, and the ruinous expense of its duration.

The following vessels have been taken up for the purpose of conveying all the disposable force to Rangoon, to open the campaign with éclat :—The *Golconda*, *William Money*, *Hibernia*, *Aurora*, *Earl Kellie*, *Pascoe*, and three transports; two Native regiments had been embarked, and his Majesty's 45th regiment of foot. The *William Money* and *Pascoe* sailed from Madras on the 4th October, with detachments of the Royals and 69th regiment on board.

The accounts from Arracan are to the end of August. We have seen a letter from an officer of rank, in which it is stated that that division of the army was more healthy. Yet such was the state of the country, and the reduced state of the army, that no movement from Arracan was expected before the 1st of December. The armies at Prome were expected to take the field in November. The Burmese were in force near Prome, under (as report states) Mung-cra-Bo, the Burmese Chief who succeeded Bundoolah. Several skirmishes had taken place with the advance, but no action of consequence was expected before October. The letters from Arracan and from Prome concur in stating that there was not the smallest prospect of peace.

#### PROME.

About the end of August, it was stated in the Calcutta 'Government Gazette,' that a very great victory had been obtained by General Campbell over the Burmese. This news, however, still wants confirmation, and is another proof of the little reliance to be placed on such authorities. Another report was, that there had been a general attack on Prome by the Burmese; but this appears to be equally without foundation, although such an attack has been for some time confidently anticipated. The Native inhabitants of Prome had many of them deserted the place, in apprehension of the dreadful effects of its being stormed by the Burmese.

A letter, dated Prome, August 1, says that the waters were then subsiding, but the effluvia they left behind dreadfully pernicious. The hospitals were crowded, and upwards of one hundred of the Body Guard horses had died in a month. The only communication between one house and another was kept up by boats. Other accounts in the same paper (copied from the Government Gazette) say that "the troops were all healthy, and the supplies abundant"; so endless are the contradictions of a "licensed" press.

The army then consisted of the Governor-General's Body Guard; Bengal rocket troop; Bengal horse artillery; Bengal and Madras foot artillery; his Majesty's royals; 38th, 41st, 47th and 89th regiments of foot; the 18th, 26th, 28th, 30th, 43d and 38th regiments of Madras Native infantry. The latter had lately joined from Rangoon, having marched up in twenty-five days.

The Burmese force at Meeady, about forty or fifty miles above Prome, as reconnoitred by General Cotton, was strongly entrenched after their usual fashion. They were apparently well armed, and had a large proportion of artillery. They were ranged, to the extent of a mile and a half, along the banks of the great river, which had there several pagodas upon it, all of which they were stockading; determined, apparently, to fight to the last for the "throne and the altar." They had also erected breast-works to protect their boats under the banks of the river, and others to command the roads leading towards the capital. General Campbell's army was at this time comparatively healthy, there being only about one-sixth of the Native, and one-eighth of the European troops, in hospital. Since the river had begun to subside, from the swollen standard, and the evaporation of the surrounding moisture on the deserted banks commenced, a disagreeable odour had become perceptible, which was looked upon as a prelude to sickness, should the troops remain there much longer. But from the large force the enemy was concentrating towards Prome, a speedy and severe encounter was anticipated.

When General Campbell was returning from Rangoon, where he had hoped to meet a Burmese ambassador, the steam-boat, with the General and his staff on board, was very nearly lost in a whirlpool, or eddy, between Donabew and Surrawa. She swung round and round with great violence for several minutes, so that those on board despaired of escape. A Mr. Ventura, who was in a boat at a small distance, hastened to the spot, with the view of saving what lives he could, in case of accident. The steam-vessel, however, got off by the powerful action of her machinery; but Mr. Ventura, with his boat, sunk in the vortex.

Accounts, under date the 9th of September, state, that it was generally believed, both at Prome and Rangoon, that a flag of truce had gone to Amerapoora; and it is reported that the Burmese are also disposed to negotiate. We hope such may prove to be the case; but it is evident that Lord Amherst, who was so eager to begin the war, is the first to cry, "Hold! enough!" It was stated in the 'Madras Gazette' of July 30, on the authority of a letter from Rangoon, that his Burmese Majesty had intimated that he was ready to treat for peace, provided the treaty be between him and the King of England; but that he could not condescend to treat with the East India Company. Here is another stumbling-block for Lord Amherst, more difficult to be got over than the insurmountable *koutou*, which he was called on to perform in China.

The following extract of a private letter from head-quarters of our Invading Army, is deserving of attention:—

I marched from Rangoon with this force about a fortnight after my last letter to you; and after divers privations, hardships, *grillings*, and annoyances, arrived "thus far into the bowels of the land," in the end of April. Our march was through a wilderness nearly the whole way; most of the

towns and villages a heap of ashes, and scarcely a human being met with, save, occasionally, some old and infirm wretches who were unable to fly with the rest. At one place only did we find an enemy to oppose us, and there (at Donabew) we had a little trouble. It fell not originally in the line of route followed by the division I accompanied, but being on the river side, was left to the force which proceeded by water simultaneously with ours by land. On their reaching the place, it proved much more formidable than was expected, however: It was assaulted, and without success. Our party was repulsed, with 130 killed and wounded, and were obliged to betake themselves again to their boats. Our force, which had got considerably above Donabew, was obliged to fall back to the assistance of the water column, and we arrived before the place on the 25th of March. We were a week before it, carrying on approaches, and were kept pretty well awake all the time. The enemy made some desperate sallies on us, and some of their slight attacks on our camp (in the darkness of death) were certainly rather awful. They had 76,000 men in the stockade to our small 3000, and upwards of 150 pieces of ordnance. On the 7th day, (the 1st of April,) a lucky shell from our mortars killed their chief, Maha Bundoolah, (let his name be recorded as a gallant fellow,) and the place was evacuated the next night. Since this we have met no opposition, the enemy flying before us, evacuating their stockades, and leaving us their guns. The Maha Bundoolah, above mentioned, is the man who brought the large force against us, and gave us such amusement at Rangoon in December; and is, or rather was, the only chieftain in the kingdom who has spirit enough to make much stand for his country.

The inhabitants in our rear are now settling themselves quietly under our rule. The Government is completely disorganized, and can raise nothing like an effective force to oppose us, and yet will they make no overtures towards peace. They (the Court, I mean, not the people generally,) are the most stiff-necked set of blockheads in the world, and will see the kingdom dismembered limb by limb, rather than humiliate themselves, as they think it would be, by suing for terms. We are now pent up here by the monsoon, which commenced a few days after our arrival, and will keep us here, most probably, till the end of November. At present we are quite inundated, from the overflowing of the Irrawaddy, (a beautiful river, but not quite equal to the Ganges,) and are obliged to go from house to house in canoes. We shall, most probably, be at Ava (the capital) in the middle of January; and we hear that the King is already prepared for flight, meaning, as we advance, to take refuge in China! What can be done with such incomprehensible brutes? We may be driven, at last, to keep the kingdom ourselves; however great the row such a proceeding would cause at home; and a splendid acquisition it would be. The country is beautiful, fertile, and productive, beyond even the finest parts of Hindoostan, and the inhabitants far superior to any race of Asiatics we are acquainted with; or I should, perhaps, be more correct in saying they *would* be so, under a fair system of government. It is wonderful, when we consider the iron despotism, and the arbitrary, brutal tyranny of their present government, that they should possess the qualities they do. They are fine, manly, open-hearted, cheerful, and certainly brave fellows; and, constant as our intercourse has been with them of late, we have had good opportunities of estimating their character. The Bengal Government are very anxious to bring about a peace, and we have sent a man from Calcutta with a letter to the King. If this be the case, I have no doubt of its meeting with a *favourable consideration*, and bringing the war to a conclusion. A good deal of uproar is expected in India amongst the independent Chiefs, who, it is

well known, have been plotting for a general rise, (emboldened by our employment here;) and the wretched, contemptible imbecility displayed by our Government on a recent occasion, will tend, no doubt, to ripen the plot.

Never since India was known to us, has it been afflicted with so deplorable an administration as at present, when we most particularly require an able and efficient one. Lord Amherst is said (by Mr. Canning, and most other people) to be an extremely amiable and goodman; but we want not your good and amiables at a crisis like this. Lord Amherst has neither talent, nor energy, nor decision. Sir Edward Paget thought proper, it is supposed, to take huff at something at the commencement of the war, and has done nothing, but smoke segars and talk nonsense, towards bringing it to a conclusion. He, again, is not qualified by talent for a seat at the Council Board; and if he ought to have been *any where* in India, surely he should have been *here*, at the head of the largest and finest army ever turned out in India for foreign service. The other two Members of Council, Messrs. Fendall and Harrington, are mere old women: the one gouty and stupid, and the other thinking of nothing but singing anthems, attending charity-school meetings, Bible associations, &c.

The "recent occasion" where their imbecility was so strikingly displayed, was in regard to Bhurtpoor, that everlasting thorn in our side since Lord Lake failed in his repeated efforts to take it. Sir David Ochterlony, who was up there in civil as well as military supremacy, found it necessary (in performance of a solemn pledge of our Government) to resort to arms in support of the young Rajah, who had been deposed. He collected a splendid force; the place must have fallen in twenty-four hours' bombardment, and would have had the greatest and happiest effect, in its impression on the minds of the disaffected, when up comes a positive and peremptory order from Government to Sir David, to come to any terms with the usurper; on no account to venture to attack the place, but to immediately disperse the army! Sir David was obliged to obey orders, but at the same time flung up all his appointments, civil and military, in disgust; and accompanied his resignation, we hear, with the remark, that he scorned to serve under such a Government, which, in spite of treaty and its pledged faith, had left their young ally to his fate, and had impressed the whole of India with the conviction that we are afraid again to attack Bhurtpoor. Sir David, we hear, is going home; and if so, I doubt not he will be *heard of*. He is not a man to sit quiet under such circumstances.

#### ARRACAN FORCE.

A letter lately received, written by an officer who was at the storming of Arracan, which has been obligingly forwarded to us, shows the arduous nature of the service in the Burmese country. It states, that the troops ordered to *march* from Myoo to Areetung, had literally to swim from island to island, across the delta of the lower part of the river Arracan; in doing which they lost many horses. After the capital of the province was carried, a party of our troops, sent to pursue the enemy, were out forty hours in succession, without sleep, rest, or food; and consequently returned for want of provisions, finding the country at the same time impassable.

The letters received at Calcutta down to the end of August from this fatal place, were filled with the most dismal accounts of the sickness and mortality. Several individuals, who had gone there with

goods on speculation, were selling them off under prime cost, that they might withdraw as fast as possible. The sickness had increased to such a degree, as to pervade nearly the entire force. Fifteen officers had died; and about forty had obtained leave of absence on sick certificate. The papers of the 15th of September, say that the sickness there was very slowly abating; but apprehensions were entertained that the Burmese, learning the debilitated condition of our troops, might be tempted to attack them. It did not appear, however, that they had any force left in Arracan; but a plot, it is said, had been formed by the Mughs (natives of Arracan) to burn the barracks and destroy our troops, which was luckily discovered and frustrated.

Hopes were entertained that, on the approach of the cold season, the sickness would cease; but even if it did, the troops which had been subjected to that pernicious climate for one season, could not, it was thought, regain their health and vigour for years to come.

#### ASSAM.

The war had not yet entirely ceased in this quarter. The natives of the country, acting as our auxiliaries, had, at our instigation, attacked and gained some advantages over their enemies, the Singphos. But the latter, having discovered that none of our troops were co-operating against them, gathered courage to renew their resistance with greater vigour. An extensive coalition was in consequence forming against our new allies, which rendered it necessary to bring up fresh troops to their assistance. Such were the first fruits of Lord Amherst's new protective and subsidiary system for our eastern frontier, which, as has been again and again predicted, will involve us in continual broils with every barbarous tribe within our reach. Lieutenant Neufville had thought it necessary to proceed himself to Beesa; and Lieutenant Kerr had been directed to bring from Sudeeya more ammunition, and all the men that could be spared. This service against the Singphos, a predatory tribe on the eastern frontiers of Assam, was successfully effected, and a number of Assamese prisoners released.

#### CENTRAL INDIA.

A great rising was apprehended in the upper provinces, the inhabitants of which are known to be both the most warlike portion of India, and the most disposed to resist our authority, whenever there may be a hope of doing so with success; a feeling greatly increased in the ceded and conquered provinces by the gross breach of faith committed towards them by the Company, in regard to the promised permanent settlement. Mr. Henry St. George Tucker, Mr. Law, and other writers of great personal experience, have again and again predicted that the continued violation of this solemn pledge must exasperate the Natives into rebellion on the first favourable opportunity; and the present is the crisis when the Company may expect to reap the fruits of its bad faith with the people.

It is reported, in a Calcutta Native newspaper of the 27th of

August, that Madhub Sing, the youngest brother of Doorjun Laul, the rebellious Rajah of Bhurtpoor, had raised an insurrection against him, and got possession of a number of places, with a prospect of still farther extending his power.

Under date of Sept. 17th, the 'John Bull' says, that the state of matters at Bhurtpoor had led to several encounters, in which not a few lives had been lost; and the British Resident had found it necessary to leave the fort of Jaypore on account of the measures adopted by the Ranee. Thus every successive account shows that the spirit of disaffection to the British power is becoming more and more extended.

Preparations, it is said, were now making for the reduction, as soon as it might be practicable, of Bhurtpoor, Alwur, and several other places where disorder and disorganization had been for some time prevailing. There is, therefore, now no doubt that this part of India will soon be the scene of important operations.

#### MADRAS.

We have seen files of Madras papers down to the early part of October. On the 8th of the preceding month, a meeting was held at the Assembly Rooms, on the Mount Road, for the purpose of hearing read the answer of the Governor in Council, to the memorial presented by above a hundred of the most respectable members of the community for providing a Town-Hall at that Presidency. George Hyne, Esq., who acted as Honorary Secretary, read the communication from the Governor, which expressed high approbation of the proposal. As the different philanthropic and philosophical institutions, festive assemblies, &c., at that Presidency, are without such accommodation as they require, such an erection is deemed of high public importance. But the Governor is pleased to observe, that "*many* considerations forbid the idea that any aid should be given to it by *private* subscriptions;" and suggests that the work should be "wholly undertaken by the Government, and when finished, remain the property of the Honourable Company, though the management of it would be committed to trustees for the time being." One of these "*many* considerations" against permitting it to be the property of the public (of that public to whom it owes its origin!) may be the dangerous consequences apprehended from allowing the inhabitants to have a place of their own, where they might meet when they chose, to express their honest sentiments, as they formerly did, in applauding Lord Hastings for removing the censorship on the press, when their speeches were not suffered to appear in the Madras papers.

On the 17th September, a large quantity of Company's securities were knocked down at a public sale-room here at the following prices: Six per cent. *remittable*, from 23 to 25 per cent. premium. Old five per cents.  $3\frac{1}{2}$  to  $3\frac{3}{4}$  discount; New five per cent.  $1\frac{1}{2}$  to  $1\frac{3}{4}$  discount.

A Van Diemen's Land paper (the 'Hobart Town Gazette,' of April 15th) says: "We feel great satisfaction in stating on good authority, that no less considerable a sum than 20,000*l.* has been raised



by public subscription at Madras, for the purpose of founding a college in Tasmania, (where health is protected by perhaps the finest climate in the world, and of course it is desirable that every Asiatic resident should fondly establish his progeny,) for educating the natives of India, instead of sending them to England."

#### BOMBAY.

Accounts dated in the end of August, state, that from a deficiency of rain in many parts of Hindoostan, great distress and scarcity was apprehended. A great number of cattle had already perished about Nussereabad for want of fodder, and no rain had fallen at Kurnoul down to the 14th of July. The extreme heat had caused most of the European inhabitants to remove for change of air.

Effectual precautions had been adopted in Bombay against the threatened scarcity of water. Three-fifths of the public wells and all the tanks having become dry before the month of April, they were deepened and improved; and about thirty, which had been filled up for years, from not being required in ordinary seasons, or inconveniently situated, were re-opened. Many temporary wells were also sunk and new permanent ones constructed in various parts of the island; by which the danger of drought is considered to be completely removed.

The papers of the 10th of September still speak of the continuation of disturbances in Cutch. A village within eight miles of Anjar had been plundered, and a chief of Nurra had collected a thousand Scindians for similar objects.

The importance attached to this insurrection may be estimated from the magnitude of the force destined to take the field, which is as follows: A troop of horse artillery; a company of foot artillery, with gun lascars attached; his Majesty's 4th dragoons; one squadron 1st reg. N. light cavalry; left wing, 2d. reg. N. L. C.; H. M.'s 6th reg. of foot; flank companies of the 2d Bombay Europ. reg.; 21st reg. N. I.; 2d grenadier reg. N. I.; 3d reg. N. I.; 16th reg. N. I.; 8th reg. N. I.; and 18th reg. N. I.

A detachment was shortly to embark with a suitable train of artillery, which, when joined by a body of cavalry from Kaira and other troops in the vicinity, would form a force of 7000 strong; to be commanded, it is said, by Colonel Napier as Brigadier. The inhabitants of Cutch are described as a warlike race of people, and the chiefs have long boasted of their independence, pretending that the country which they inherit has withstood all attempts at invasion since the creation of the world. Their peculiar natural advantages for defence somewhat justifies the boast; as the interior abounds with hills and impenetrable jungles, where many of their forfeited villages are impregnable to an army without the aid of artillery; in addition to which, the whole country is isolated by the Run or Frun, an extensive swamp, which during the great part of the year is impassable.

Private letters, quoted in the 'Globe,' dated Sept. 28th, speak very gloomily of the war in Cutch; stating that we are without an adequate force to meet the invaders, all the disposable troops having

been sent to join the army in the Burmese territory. However, all the ships that could be got had been taken up, it is said, at a very high rate, to convey such troops as could be immediately collected. There has been some discussion in the newspapers about whether or not the insurgents in Cutch are to be considered as "Pindarees." They are, no doubt, men of this description, many of them probably the remains of the great Pindaree hordes, moving about from one place of India to another, wherever they find the best haunts for subsisting on plunder, and now collected in masses and called into action by the factious chiefs of Scind.

#### NEW REGULATION FOR THE PRESS AT BOMBAY.

In a subsequent page of this present Number, will be found a document of the highest importance to the great interests of the Indian community; namely, the official Regulations enacted for the Press at Bombay, on which a few observations only are necessary, and these we make the subject of this separate paper.

It will be in the recollection of our readers that at the time of Lord Hastings's removing the censorship from the Press of Bengal, Sir Evan Nepean was Governor of Bombay; and under his government, as well as that of Sir Thomas Munro at Madras, the censorship was still continued. On Mr. Elphinstone's becoming Governor of Bombay, one of the first acts of his administration was to imitate, (or, at least, pretend to imitate) the conduct of Lord Hastings, by abolishing the previous censorship, and declaring the Press to be free. This *freedom*, however, was perfectly safe in the keeping of Mr. Warden, then Chief Secretary to Government, and *ci-devant* official Censor, who was a large proprietor of one of the two newspapers published in Bombay, and would naturally enough take care that nothing appeared in it "offensive" to his superiors; while the other, being the official Gazette of the Government itself, was not likely to do violence to its own immediate patrons and employers.

The "Free Press" of Bombay behaved most becomingly in its new state of liberty, being never permitted by its kind keeper, Mr. Warden, to indulge in any indications of that joy which a slave suddenly having his fetters knocked off might be forgiven for betraying. In process of time, however, the placid current of events was ruffled by the arrival, at Bombay, of an honest English Judge, with something of the fine blood and spirit of Sir Francis Macnaghten in his character, and the superior advantage over his contemporary of as much firmness as courage, and as much consistency as ardour, which cannot be said for his learned brother of Bengal. This truly English Judge, daring to exercise his high and enviable functions, in administering justice without respect of persons, began to excite the surprise and admiration of the Natives, and, in a corresponding degree, to incur the hatred of their now curbed and humiliated rulers, who were compelled to bow their necks to that solemn tribunal to which all just men pay willing homage—the Altar of the Laws. The Free Press of Messrs. Elphinstone and Warden, worthy colleagues in this holy cause,

was made the channel of continued misrepresentations, as to the proceedings of this sturdy Judge and his few honest supporters; and they themselves were secure from all legal proceedings, as there existed no law or regulation similar to that which exists in England, for fixing the responsibility of all publications on some known individual. The Judges had no legal knowledge of the proprietor of the papers, or their editors; they could take no legal cognizance for the purposes of lawful responsibility, unless they imprisoned the ignorant and innocent printer, generally a humble mechanic, who knows nothing beyond the mere routine of his duty; and therefore, in the case of Mr. Fair, they felt themselves surrounded with difficulties, and were at last compelled to refer the matter to the Government itself, in whose hands entirely the press then was; and *they* (the Government) inflicted on their own unfortunate instrument the unjust, disproportionate, and arbitrary punishment of banishment from the country, by a route that enjoined the circuit of half the globe!

To prevent the recurrence of such a difficulty in future, the Court suggested that certain regulations should be framed, copying the very letter, as well as the spirit, of the statutes on that subject in England, (37th and 38th Geo. III.) and placing the Press of Bombay on the same footing as that of this country, as far as this can be done without the destruction of that odious and detestable power of summarily banishing any individual from India without trial; an evil which no authority short of the Legislature can remedy, and to whom its continued existence is a perpetual stigma and disgrace.

The sole object of the Regulation, as stated in the preamble, and borne out by the clauses in the body of the document, was to enable any person who considered himself injured by any calumny through the press, to ascertain the real names and abodes of the proprietors and editor, and to proceed against them in a court of law for redress; a provision which the warmest friend of free discussion must approve, as essential to the ends of justice, and in no degree destructive of the most perfect liberty.

It may be a matter of surprise to many, that Mr. Elphinstone himself did not propose some such regulation as this, when he abolished the censorship: but he knew well enough, no doubt, that this would have exposed the very fact he wished to be concealed, namely, that the proprietors of the Bombay Papers, being members high in office under his own Government, the press, in their hands, enjoyed all the advantages (to him) of the most perfect slavery, while he, on the other hand, without risking the inconvenience, enjoyed all the reputation which accrued to him from the supposition of his sincerely permitting it to be used with freedom. The unwillingness of himself and his colleagues to adopt the Regulation when suggested by the Court, is a striking proof of their distaste to such securities for the responsibility of men for their acts. For although the suggestion was made in September 1824, the Government delayed its being put into form and sent to the Judges to register in the Supreme Court, (the act by which it acquires the force of law,) until March 1825,

six months afterwards ; a delay which, besides putting off the evil to as late a period as possible, gave the high and mighty personages who held shares in the newspapers, time to look about them, and make their arrangements accordingly.

One of the most remarkable features of the whole is, however, the conduct of one of the Judges, Sir Ralph Rice, on this occasion. Notwithstanding that the sole object of the Regulation is to give to injured persons the means of fixing on the responsible proprietors and conductors of Indian newspapers, as the law has enabled them to do with English ones, Sir Ralph opposed their being registered by the Court, and even so far forgot himself, as to observe, that he thought the very suggestion of them to the Government ill-judged. This will sufficiently illustrate the state of his feelings, and the current in which his sympathies run. But what shall we say to his understanding, as an English lawyer, when he declares the Regulation to be similar to that passed by Judge Macnaghten, at the request of Mr. Adam, in Calcutta ? That they are both called a "Rule, Ordinance, and Regulation," is true : that they both relate to "the Press," is also most true : and that they lay down certain conditions to be observed by proprietors of printing presses "in India," is undeniable. But, excepting in these points of resemblance, (in which things most opposite may resemble each other,) there can be nothing more dissimilar than these very documents, which, to Sir Ralph Rice's vision, appeared so strikingly similar !

In the first place, by the Bengal Regulation of Mr. Adam, or Judge Macnaghten, for they may divide the merit, *no person* can have a license for printing at all, without the permission of the Governor-General beforehand. By the Bombay Regulation of Sir Edward West and Sir Charles Chambers, for to them, we believe, the merit of it is solely due, *any person* may print, without the permission of any authority whatever, on merely sending in to the proper office a notice of his intention to do so, when a license, which cannot be refused, is granted, as in England, to the party applying.

In the second place, by the Bengal Regulation, *any man's license*, even after it be granted, may be taken away from him, at the mere will and pleasure of the Governor, without reason assigned. By the Bombay Regulation, *no license* can either be refused at first, or taken away when once granted, on any pretence whatever, but the prescribed modes of proceeding for offences are through the legal channels open to all.

But it is in vain to make further comparisons. If these things be similar, then there is no difference between the despotism of Asia and the freedom of America : and it may then be said, that the burning sands of Arabia, and the thick-ribbed ice of Labrador, are one and the same in substance, temperature, and composition.

We have received from a correspondent a copy of an able and elaborate judgment delivered at Bombay by the Chief Justice of the Supreme Court there, in the case of a native of India, to whom justice has been rendered. The great length of the debates given in our present Number prevent its being printed here ; but we hope to include it in our next.

We have received also copies of affidavits filed in the Chief Secretary's Office under the new Regulation for the press in Bombay, which we shall also print when we can find room, with a few observations on each of these matters of record. This "pernicious publicity," to use the well-remembered phrase of a Reverend hater of the light in Bengal, will be very "obnoxious," no doubt, to *some* of the good people of Bombay: but, whoever acts as he himself would approve in others, cannot be afraid to submit his conduct to open scrutiny and observation.

#### CAPE OF GOOD HOPE.

This colony, according to the latest advices, was still afflicted with the protracted rule of Lord Charles Somerset, whose expiring reign, "like a wounded snake, drags its slow length along." The oppressed inhabitants could only console themselves for his presence by looking forward to the time when the Cicero of our present senate shall sift this Verres like wheat; but it was plain that he had determined to let the Parliament of 1826 pass over before he exposed himself to the storm which awaits him when he sets foot on the shores of England. A long communication, which has been addressed to us, dated Cape Town, November 30, says:

The Governor gave out the other day at his levee that he should return to England on General Bourke's arrival; we only hope he will be obliged to keep his word. A person asked me the other day, "What then will become of all his parasites and informers?" I told him they should be sent to hard labour at Robin Island, under the care of Oliver the spy! whose name figures so odiously in the petition of Mr. Burnett.

The petition of this gentleman to the House of Commons gave universal satisfaction. He must be a man of superior mind and strong nerves to have undertaken such a mighty task as that of exposing so powerful an adversary as Lord Charles, and contending against the awful influence of the Beauforts, whose very names make us weak people shudder. But we know that Mr. Burnett is as brave as a lion, and not to be daunted by great names. It is quite laughable to hear of the ridiculous stories hatching here to his prejudice by Lord Charles's emissaries, who hate because he fears him. If the whole colony had been searched on purpose for a man capable of opposing so powerful an antagonist with unflinching perseverance and vigour, we should have fixed on Bishop Burnett as that man.

The same letter passes a high eulogium on Mr. Lancelot Cooke, who fought a stout battle with the official authorities respecting their treatment of the prize negroes. It states, that Lord Charles, in order to counterbalance the weight of the public voice against him, is getting up *secret* memorials, through the agency of his friends and emissaries, to be presented to the King in Council. Much surprise was felt that no report had yet been made public from the Commissioners appointed to examine the state of the colony, But a confident expectation is still entertained that they will give a fair representation of things as they are; and be the means of rectifying many intolerable abuses which might have otherwise long escaped the punning-hook of reform.

Tyranny would appear to be a plant peculiarly adapted to the soil of Africa. King Chaca, the Native Prince under whose protection Lieutenant Farewell is settled near the third point Natal, is described as one of the greatest monsters of cruelty the earth has produced. Having given some account of him in our Number for September last, we only add a few additional facts which have lately transpired. In his wars he murders all his opponents, whether they resist or not; immolating all the males and infants of both sexes, sometimes the females also. If any of the latter are spared, it is that he may have the choice of them for his seraglio, which consists of 12,000 women, who are distributed in different kraals, where people are appointed to attend them. As chastity is by him deemed a great virtue, to preserve his own character for purity, it is said that if a woman in any one of these kraals become pregnant, the whole kraal is murdered without discrimination or reserve. There must, we suspect, be some misunderstanding about this; for monster as he is, why should he stifle his own progeny? His courtiers, like those of Siam, approach him crawling, and the slightest mistake, cough, sneeze, or smile, in his presence, is attended with instant death. One day, two or three boys having peeped into his kraal, he ordered them to be executed; but as the two transgressors could not be identified, Herod-like, he ordered all the boys of the kraal to be put to death without distinction. One of his people having one day done something ridiculous in his appearance, which tended to disturb the king's serenity, he said, "Take away that man and kill him; he makes me laugh." To compensate for this blood-thirstiness, his only virtues are good faith and hospitality to strangers. He is said to be able to bring 20,000 warriors into the field.

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INCIDENTS AND EVENTS IN EUROPE CONNECTED WITH  
THE EASTERN WORLD.

PREDICTIONS OF THE GOVERNMENT PRESS OF ENGLAND WITH  
RESPECT TO INDIA.

OUR readers in India will no doubt have *heard* of Mr. Murray's new Morning Paper, 'The Representative'; but as it is not usual to distribute papers through the Colonies or distant dependencies of England without some security for payment in return, it is probable that very few copies of the paper in question have yet reached India. For the information, therefore, of those who may desire to know what is said by this new organ of the sentiments of Ministers (for such it may no doubt be safely considered) on the subject of India, and the intended amelioration of its institutions, we select from the 3d Number of the journal named, the following portion of its leading article:

If extent of territory, fertility of soil, variety of production, and a population exceeding in amount the greatest empire in Europe, could by their combination excite the attention of statesmen, it might be expected that the British Empire in India would be a principal object of study with all who hold, or aspired to hold, the high offices of Government in this country.

Yet the contrary is the fact—who are the prime rulers in the first instance of the great Empire of India? Twenty-four respectable gentlemen, to the large majority of whom the denomination of statesmen would be a mere sarcasm. The President of the Board of Control has been of late years a Member of the Cabinet, and therefore may be fairly considered as a professional statesman—but in what estimation are the duties of *his* office held? Have not very commanding political Parliamentary talents been considered as lost in the situation? To carry this view still further, is the office of Governor-General, the guardian of the happiness of millions, the immediate and sole ruler of the most extensive and powerful empire that ever existed in the East—is even this princely office an object of high ambition to our leading statesmen? Is not, on the contrary, acceptance even of it viewed as a sacrifice, to be recompensed by pecuniary advantages? Does not the office in this respect differ from all the other great offices of the state, which are sought mainly for the personal distinction and political power conferred by them?

In times past, this great office has undoubtedly been held by one or two distinguished individuals whose names must ever stand high on the historical records of their country; and in a season of difficulty, the public attention has begun to be strongly directed to the expediency of once more calling the tried energies of a master mind to the supreme administration of India.

The present moment, if the intelligence received from various sources deserve credit, is pregnant with possible danger to the very existence of our Empire in India, and is certainly full of important considerations, as connected with the internal administration of that vast country, and our political relations with the neighbouring states.

While we disclaim a participation in the alarms which many feel of immediate danger to the internal tranquillity of our Indian possessions, from the insulated occurrence at Barrackpore, or of diminution of political influence by the comparatively slow progress of the Burmese war, we do feel that causes are in operation, and principles have obtained influence in our Indian administration, that oppose the permanence of the British rule,—simply because they involve in our relations with neighbouring states the necessity of *perpetual war*.

The causes which affect the permanence of our rule, although first in order of discussion, and undoubtedly of importance, yet, as requiring detailed illustration and systematic development, shall be reserved by us for a future occasion;—at present, we shall confine ourselves to a concise exposition of the danger which we conceive may arise from applying the usual principles of our Indian policy to the existing contest with the Burmese Empire.

The foreign relations of the British Empire in India are divided into two classes: those with Native Powers, whose dominions are surrounded by the British territories, and those with Governments whose possessions are placed beyond the general frontier of our Empire.

The nature of our political relations during peace, and the object of the wars in which we have been, or may be engaged, are determined by this geographical distinction. In regard to the Native states enclosed by the British dominions, interference in the internal administration of their territories has been considered inevitable during peace, and equally inevitable has the annihilation of their political independence been deemed on the occurrence of war. The administration of Lord Hastings left India, from Cape Comorin to the Indies, without a spark of political independence among the Natives, either to excite our jealousy or disturb our power.

The ambition of Hyder and Tippoo, the restlessness of the Mahrattas,

the timid imbecility of the Nizam, and the sordid avarice of the Nabob of Oude, have all co-operated to *compel* the assumption of supreme power by the successive British administrations in India. This is undeniable—yet is there no end to the system? „Must we *never* wage war but to *crush*? Must the establishment of a political resident and a subsidiary force, be the *only* conditions upon which peace can ever be granted to a Native Power? It is much to be feared that such are the principles of Indian diplomatists. When once the avowed Parliamentary reluctance to aggression has been overcome—the injured majesty of the Indian Empire can never, in their opinion, be satisfied, till the political independence of the adversary has been irretrievably annihilated. The systematic adoption of such principles has produced the complete subjugation of the interior of India; and the event has almost justified the leading dogma among Indian diplomatists; viz. that a belief in the invincibility of the British power can alone maintain our empire, or even secure its temporary tranquillity.

Nor are we disposed to undervalue the importance of this principle, as a principle; the difference is, that we would moderate its application in the case of relations, either of peace or war, with neighbouring states beyond our general frontier.

With these states, semi-barbarous as they are, we would sedulously avoid occasion of dispute; we would overlook small irregularities of public or individual conduct; nay, we would recommend as little diplomatic intercourse as possible, and if unfortunately and inevitably involved in war, chastisement, rather than extension of territory or influence, should be our object.

We think it very probable that views similar to these may be taken up by a certain highly influential party in the Session now about to open; and it gives us the highest pleasure to know that Government itself has resolved on submitting to the consideration of Parliament certain measures of internal regulation, which, from the account we have heard of them, seem likely to be productive of great, lasting, and progressive benefit to the character of our Eastern population. To give moral elevation to these nations, and gradually, of course, connect them with our countrymen, by intercommunion of civil rights and offices,—these are, we cannot doubt, the most promising, as we are sure they are the most dignified means, by which we can seek to promote the stability of that extraordinary Empire.

The closing paragraph of this article is remarkable, and no doubt has reference to the intended introduction of a Bill for admitting Indo-Britons to sit on juries. But we have every reason to believe that there is a strong feeling on the part of Ministers that much greater changes than this are necessary: and we shall hail with pleasure every indication from such a quarter of a more enlarged and liberal policy towards our oppressed and degraded fellow-subjects in the East.

#### SUICIDE OF MAJOR WOOD.

We are sorry to have to record this month one of the deplorable consequences of the cruelly-protracted and vacillating course of procedure regarding the division and distribution of the Deccan Prize Money. From the period of the decision, which was given about three years past, against the claim of the grand army to a general division of the booty, it was fully believed by the persons interested, as well as by others, that by far the greater part of that immense treasure, amounting to millions sterling, would fall to the army of the Deccan,



and that Sir Thomas Hislop and his connexions, holding the highest rank in that army, must be raised by this vast accession of wealth to a most important station among the greatest families in the kingdom. The principle of that decision, we believe, was extremely erroneous; it was confirmed, however, by the supreme authority, and had stood for years unshaken. The parties in whose favour it operated seemed to hold their brilliant prospects by the strongest possible guarantee; when suddenly they are again snatched from them by a new decision of the Treasury, a decision right in itself, but most cruel in its operation, as coming after and doing away with the effect of another, which ought never to have been passed, on the stability of which thousands placed the most firm reliance. The extensive suffering which will result may be judged from the fate of Major Wood, which is thus described in the papers of the day:

The sudden and deplorable termination of the existence of this gentleman, at his lodgings, Grosvenor-square, on the 8th of February, has created the most painful feelings amongst a very extensive circle of friends. The deceased was one of the General Prize Agents for the Army of the Deccan. He served in India in the 2d, or Queen's Own Regiment, and at the time of his decease belonged to the 71st Regiment of Foot. He was a nephew of Sir Thomas Hislop, and was married to a niece of General ———, by whom he had three children, who are now living. His lady died about twelve months ago. The Major had been very much depressed in spirits for some time; and, since the decision of the Lords of the Treasury relative to the Deccan Prize Money, he was in a state of mind bordering on phrenzy. In consequence of alleged pecuniary embarrassments, he gave up his house, No. 119, in Park-street, a few days ago, and took lodgings at No. 12, in the same street. On Wednesday morning the Major wrote a letter to a solicitor, who is concerned in the affairs of India, and sent it by a servant. During his absence the Major wrote several other letters, and one he left unfinished on his desk, and proceeded up stairs to his office, where he opened a trunk, out of which he took a pair of pistols. He loaded one of them with ball, and fired it into his mouth. The report of the pistol was not heard by the inmates of the house. His death must have been instantaneous. Last evening a Coroner's Inquest was held before G. H. Gell, Esq. at the lodging of the deceased, No. 12, Park-street, Grosvenor-square. The Jury being sworn, took a view of the body, from the exhibition of which it was evident the deceased had come to a premature end. Several witnesses were called, who deposed to the dejected state of the deceased; and the Coroner having summed up, the Jury returned a verdict, "The deceased shot himself when in a state of Insanity."

It is said that Sir George Murray, Commander of the Forces in Ireland, will be succeeded forthwith by General Sir Thomas Hislop, and that Sir George is to be appointed Adjutant-General in England.

A deputation of merchants waited upon Lord Bathurst on the 1st of February, to present a memorial addressed to him as Colonial Secretary, respecting the circulating medium at the Cape of Good Hope. Lord Bathurst stated that it should have been addressed to the Lords of the Treasury, the change in the currency originating with them. He, however, took the memorial, which he said he would deliver in the proper quarter.

DR. GILCHRIST'S THIRTEENTH PUBLIC LETTER ON THE  
HINDOOSTANEE LECTURES.

*To the Honourable the Court of Directors of the Honourable  
East India Company.*

HONOURABLE SIRS,—In resigning the charge of my probationary duties, which were recently protracted six months beyond the period originally intended, after an experiment of nearly seven years' duration, I have the heartfelt satisfaction of knowing that neither the time nor comparatively small expense has been sacrificed in vain; on the contrary, it may be safely affirmed, that the beneficial results have been considerable, though not *half* so great as might have happened, from a variety of causes, needless under existing circumstances to enumerate minutely in this place, as I now despair of ever witnessing the adoption of those improvements myself by your Honourable Court, which, in my humble opinion, are nevertheless intimately connected with the present prosperity and future salvation of British India.

The enclosed list will exhibit a fair statement of progress during the term just expired. A few have done remarkably well; some have considerable merit; others are tolerably proficient; but the majority stand so equivocally in my own estimation, that I hardly know what to term them beyond mere orthoepists and rudimentalists, who are so far on the way to do better, if encouraged to proceed in so useful a career, as they have only begun. In praise of Messrs. Drake, Broadfoot, Myers, Ash, Andrew, Partridge, Hart, Bennett, Jervis, Smith, Harriet, M'Braire, Cameron, Malcolm, and Christie, it would be as difficult to say enough, as it must be to offer one word in favour of the thirty, whose conduct has been rather dubious in more respects than merely in close application to their several studies, which have generally been neglected, for the pursuit of more attractive, but truly distracting objects that abound in every corner of the metropolis, with so many seductive charms, which even those marked good and promising have not always had fortitude enough to resist, when their worse associates were at the *pains*, and even the *expense*, of misleading them from mental exertions, in a variety of ways that may be as prudently conceived as described. In short, it seems evident to my mind that, without constant *bonâ fide* examinations, conciliatory precepts, convincing examples, and an irresistible impetus from patrons in high authority, extraordinary advancement cannot be achieved in London, or any luxurious city, by the majority of adolescent students, who, generally speaking, in such situations are not less averse to the development of their intellectual energies, than savages are to manual toil, all over the world.

The most efficient step for eradicating the existing evil, would be to commence tuition *as early* in life as possible; to create reflecting habits, by inculcating a due knowledge of the English tongue on rational principles, of which it pains me to know, that the British youth are commonly as ignorant as the Hottentots are of bodily purity, or sordid beings of generous, noble sentiments, in nations, too far advanced in civilization, and its consequent train of vices, connected with intemperance, venality, and *selfism*. If all other ideas of previous trial before nomination be impracticable, on the score of *vested patronage* for Cadets, one single *strict* test in English grammar and composition, *fairly* applied, would alone work miracles; for the boy who proves an *idler* or *blockhead* in that *indispensable* qualification, is wholly unfit for any active service, beyond sweeping the

streets, or becoming a slave driver; and the sooner he commences those humble occupations in life, the more his labours will conduce to the welfare of society at large; unless his relatives can *afford* to let him play the *drone* from the cradle to his coffin, or something still worse for his own character and respectability, as a youth, a man, or an aged actor on the world's great stage.

About twenty of the Assistant-Surgeons with me are not yet entitled to their certificates, either from sheer aversion to learn the language of their future patients, or from an absurd notion, constantly *hammered* into their noddles by persons equally foolish, that no such acquirement can ever be wanted; because, in former days, not one medical man in a hundred could utter a sentence in Hindoostanee equal to a common *native shaver*, far less in the style becoming a *sapient English doctor*. The class, during my absence in Scotland, will be kept open by my best Pupils, to accommodate the above gentlemen, who will thus be enabled to deserve the necessary documents, by learning the rudiments of Hindoostanee at least; and those papers will be seasonably delivered, but properly authenticated by myself.

The accompanying papers will show that in every part of the united kingdom *occidental and oriental tuition* may be most advantageously conjoined, and taught *rudimentally*, with the best effects, to the junior classes of all respectable schools; and were your Honourable Court, either collectively or individually, to countenance the experiments actually begun, in the vicinity of London, within the period of two years from the present date, a large supply of *practical orientalists* would always be forthcoming, without any anxiety or charge to the Company on that article, for their Indian army, to which hundreds are consigned annually for commissions, with hardly one *sterling requisite* for properly executing so arduous and responsible a task, among hundreds of thousands of strange military and civil subordinates in a foreign land, where English to the *people* and *soldiers* at large is still equally unintelligible as Greek would be to the sojourners of Wapping, as Latin is in the parish of St. Giles, or among the poorer classes of the inhabitants in those very districts of London, where a person even with a *French tongue alone* could not feel very comfortable, especially when speaking it, or spoken to in English by the crowds passing along the streets. The number of new Students this term has been about sixty; while those who have attended more or less punctually amount to fifty-two; thus forming one grand total, since the Institution under me began, of 1423 Students at the Oriental Lecture Room, the great majority of whom belonged to the Honourable Company's service, or emigrated to settle in their territories.

For the benefit of my own constitution, which for the last seven years has been exposed to incessant wear and tear, without a single month of holidays, if they were all put together during that long period, it has been lately my intention to visit perhaps most of the cities in the united kingdom, on the score both of private business and recreation, for six or eight weeks to come; I mean, *en passant*, to disseminate *gratuitously*, the true philological faith on *profitable orientalism* among those reputable professors, tuitionary practitioners, &c. wherever they may be found equally desirous and capable of following my instructions, *pro bono publico*, including their own more immediate advantages, as intelligent teachers, and *mine also* in the less ostensible situation of *literary purveyor* for the whole, in the rudimental principles of Hindoostanee and Persian, blended in one very easy scheme, which has triumphantly stood a hostile enough ordeal, on every side, of two score years. While *compelled*, by a concatenation of events, to retire from a service to which, *directly and indirectly*, my best talents have been *conscientiously* devoted since 1782, I shall do so with the sentiments of an *honest man*, wh

would rather be sinned against, than wilfully sin against the interests and feelings of the humblest being on earth :—let me, therefore, assure your Honourable Court, that I here bid an eternal adieu to every inimical thought, word, or deed, which may have occasionally given offence to the bitterness of my enemies in the East India House ; it being my ardent wish to close the short evening of advanced life in peace with all mankind, whether they deal with me, or not, as they would naturally expect, *ceteris paribus*, me to deal with them, were our relative position in the world reversed. The objects nearest and dearest to my heart are the happiness and prosperity of all nations, when compatible with the safety of the British empire, in every division of the globe over which “ *a present mon esprit me dit, Vive la republique des lettres utiles et rationales, malgré qu'en let soutenant, je perisse moi meme.*”

I have the honour to remain, Honourable Sirs,  
Your very obedient Servant,

(Signed) JOHN BORTHWICK GILCHRIST.

No. 11, Clarges-street,  
June 30, 1825.

## NEW REGULATION FOR THE PRESS AT BOMBAY.

BOMBAY COURIER EXTRAORDINARY.

General Department, June 9, 1825.

THE Honourable the Governor in Council is pleased to publish for general information the following Rule, Ordinance and Regulation I. of 1825, which, having been read and published in the Supreme Court of Judicature, has been registered on the 11th of May instant.

### RULE, ORDINANCE, AND REGULATION I. OF 1825.

*A Rule, Ordinance, and Regulation for preventing the mischief arising from the printing and publishing Newspapers, and Periodical and other Books and Papers by persons unknown. Passed by the Honourable the Governor in Council of Bombay, on the 2d day of March 1825, and registered in the Honourable the Supreme Court of Judicature at Bombay, under date the 11th of March 1825.*

WHEREAS, for the purpose of more easily detecting those who may be legally responsible for the publication of libellous matter in newspapers and periodical works of a like nature, and other printed books and papers, the Honourable the Governor in Council has deemed it expedient that certain Regulations should be provided touching such publications respectively.

Article I.—Be it therefore ordained by the authority of the Honourable the Governor in Council, and under and by virtue of a certain Act of Parliament, made and passed in the forty-seventh year of the reign of his late Majesty King George the Third, intituled, “ An Act for the better Settlement of the Forts of St George and Bombay,” that, from and after twenty days after the registry and publication of this rule, ordinance, and regulation, in the Supreme Court of Judicature at Bombay, no person or persons shall, within the Presidency of Bombay, print or publish, or cause to be printed or published, any newspaper or magazine, register, pamphlet, or other book or paper whatsoever, in any language or character whatsoever, published periodically, containing, or purporting to contain, public news, intelligence, or strictures on the acts, measures, and proceedings of Government, or any political events or transactions whatsoever, until an affidavit or affidavits, made and signed as hereinafter mentioned,

shall be delivered to the Chief Secretary of Government for the time being, or other person acting and officiating as such, containing the several matters and things hereinafter for that purpose specified and mentioned.

II.—And be it further ordained, by the authority aforesaid, that every such affidavit shall be in writing, and signed by the person or persons making the same, and shall be taken before the said Chief Secretary, or other person acting and officiating as such, in case he shall be a Justice of Peace, and if not, then before any Justice of the Peace acting within the Presidency. And such affidavit or affidavits shall specify and set forth the real and true names, additions, descriptions, and places of abode, of all and every person or persons who is or are intended to be the printer and printers, publisher and publishers, of the newspaper, magazine, register, pamphlet, or other printed book or paper in such affidavit or affidavits mentioned, and of all the Proprietors of the same resident within the Presidency of Bombay or places thereto subordinate, if the number of such proprietors, exclusive of printers and publishers, does not exceed two; and in case the same shall exceed such number, then if two of the proprietors, exclusive of the printers and publishers resident within the Presidency of Bombay, or places thereto subordinate, who hold the largest shares therein, and also the amount of the proportional share of such proprietors in the property therein, and likewise the true description of the house or building wherein any such newspaper, magazine, register, pamphlet, or other printed book or paper as aforesaid is intended to be printed, and the title of such newspaper, magazine, register, pamphlet, or other printed book or paper.

III.—And be it further ordained, by the authority aforesaid, that where the persons concerned in as printers and publishers of any such newspaper, magazine, register, pamphlet, or other printed book or paper as aforesaid, together with such number of proprietors as are hereinbefore required to be named in such affidavit or affidavits as aforesaid, shall not altogether exceed the number of four persons, the affidavit or affidavits hereby required shall be sworn and signed by all the said persons who are resident in or within twenty miles of Bombay; and when the number of such persons shall exceed four, the same shall be signed and sworn by four of such persons, if resident in or within twenty miles of Bombay, or by so many of them as are so resident, but the same shall contain the real and true names, additions, descriptions and places of abode, of all and every person and persons who is or are intended to be the printer and printers, publisher and publishers, and of so many of the proprietors as are hereinbefore for that purpose mentioned, of such newspaper, magazine, register, pamphlet, or other printed book or paper as aforesaid; and the person or persons so signing and swearing to the truth of such affidavit or affidavits in the last-mentioned case, shall and are hereby required to give notice, within fourteen days after such affidavit or affidavits shall be so delivered as aforesaid, to each of the persons not signing and swearing such affidavit, but named therein as a proprietor, printer, or publisher, of such newspaper, magazine, register, pamphlet, or other printed book or paper as aforesaid, that he or they are so named therein; and in case of neglect to give such notice, each and every person who has so signed and sworn such affidavit shall forfeit and lose the sum of 500 rupees.

IV.—And be it further ordained by the authority aforesaid, that an affidavit or affidavits of the like nature and import shall be made, signed, and delivered, in like manner, as often as any of the printers, publishers, or proprietors, named in such affidavit or affidavits, shall be changed, or shall change their respective places of abode or their printing-house, place, or office, and as often as the title of such newspaper, magazine, register, pamphlet, or other printed book or paper as aforesaid, shall be changed, and as often the Honourable the Governor in Council shall deem it expedient so to require. And that when such further and new affidavit or affidavits as last aforesaid, shall be so required by the Honourable the Governor in Council, notice of such requisition, signed by the said Chief Secretary, or other person acting and officiating as such, shall be given to the persons named in the affidavit or affidavits to which the said notice relates, as the printers, publishers, or proprietors, of the newspaper, magazine, register, pamphlet, or other printed book or paper in such affidavit or affidavits named, such notice to be left at such place as is mentioned in the affidavits last delivered, as the place at which the newspaper, magazine, register, pamphlet, or other printed book or paper to which such notice shall relate, is printed.

V.—And be it further ordained by the authority aforesaid, that in case any such newspaper, magazine, register, pamphlet, or other printed book or paper as here-

inbefore described, shall be printed or published, such affidavit or affidavits as hereinbefore required not having been duly signed, sworn, and delivered, and as often as by this rule, ordinance and regulation, is required, such person shall forfeit and lose for every such printing and publishing the sum of 1000 rupees.

VI.—And be it further ordained by the authority aforesaid, that all such affidavits as aforesaid shall be filed and kept in such manner as the Chief Secretary for the time being, or other person acting and officiating as such, shall direct, and the same, or copies thereof certified to be true copies as herein after is prescribed, shall respectively in all proceedings, criminal and civil, touching any newspaper, or other such book or paper as shall be mentioned in any such affidavit or affidavits, or touching any publication, matter, or thing, contained in such newspaper or other book or paper as mentioned as aforesaid, be received and admitted as conclusive evidence of the truth of all such matters set forth in such affidavits as are required to be therein set forth against every person who shall have signed and sworn the same, and also as sufficient evidence of the truth of all such matters against all and every person who shall not have signed or sworn the same, but who shall be mentioned in such affidavits to be a proprietor, printer or publisher of such newspaper or other book or paper in such affidavit or affidavits mentioned as aforesaid, unless the contrary shall be satisfactorily proved. Provided always, that if any such person or persons respectively, against whom any such affidavit or affidavits, or any copy thereof, shall be offered in evidence, shall prove that he, she, or they, hath or have signed, sworn, and delivered, to the said Chief Secretary, or other person acting and officiating as such, previous to the day of the date of publication of the newspaper, or other such book or paper in such affidavit or affidavits mentioned as aforesaid, to which the proceeding, civil or criminal, shall relate, an affidavit or affidavits that he, she, or they, hath or have ceased to be the printer or printers, proprietor or proprietors, or publisher or publishers, of such newspaper, or other such book or paper in such affidavit or affidavits mentioned as aforesaid, such person or persons shall not be deemed, by reason of any former affidavit so delivered as aforesaid, to have been printer or printers, proprietor or proprietors, or publisher or publishers, of such newspaper or other such book or paper, after the day on which such last mentioned affidavit or affidavits shall have been delivered to the said Chief Secretary of Government for the time being, or other person acting and officiating as such.

VII.—And be it further ordained by the authority aforesaid, that in some part of every newspaper, magazine, register, pamphlet, or other printed book or paper whatsoever, in any language or character whatsoever, published periodically, containing or purporting to contain public news, intelligence, or strictures on the acts, measures, or proceedings of Government, or any political events or transactions whatsoever, in the same language and character as that in which such newspaper or other printed book or paper hereinbefore described is printed, there shall be printed the true and real name and names, addition and additions, and place and places of abode, of the printer and printers, and publisher and publishers, of the same, and also a true description of the place where the same is printed. And in case any person or persons shall, knowingly and wilfully, print or publish, or cause to be printed or published, any such newspaper or other printed book or paper as aforesaid, not containing the particulars aforesaid, and every of them, every such person shall forfeit the sum of one thousand rupees; and that proof made in manner hereinmentioned in any proceeding to recover the same, that the party proceeded against is a printer or publisher of a newspaper, or other such printed book or paper so printed or published as aforesaid, shall be deemed and taken to be proof that such party is a person wilfully and knowingly printing or publishing, or causing the same to be printed or published, unless he shall satisfactorily prove the contrary.

VIII.—And be it further ordained by the authority aforesaid, that it shall not be necessary, after any such affidavit or affidavits hereinbefore mentioned, or a certified copy thereof, (to be certified as hereafter mentioned,) shall have been produced in evidence as aforesaid against the person or persons who signed and made the same, or are therein named according to Article III of this rule, ordinance, and regulation, and after a newspaper or other such printed book or paper as aforesaid shall be produced in evidence, intitled in the same manner as the newspaper or other such printed book or paper mentioned in such affidavit or affidavits is intitled, and wherein the names of the printer and publisher, or printers or publishers, and the place of printing, shall be the same as the name or

names of the printer or printers, and publisher or publishers, and place of printing, mentioned in such affidavit or affidavits, for any plaintiff, informant, or prosecutor, or person seeking to recover any of the penalties raised by this regulation, to prove that the newspaper, or other printed book or paper to which such trial relates, was purchased at any house, shop, or office, belonging to or occupied by the defendant or defendants, or any of them, or by his or their servants, or workmen, or where he or they, by themselves or by their servants or workmen, usually carry on the business of printing or publishing such newspaper or other printed book or paper as aforesaid, or where the same is usually sold.

IX.—And be it further ordained by the authority aforesaid, that service at the house or place mentioned in such affidavit or affidavits as aforesaid, as the house or place at which such newspaper or other such printed book or paper in such affidavit or affidavits mentioned as aforesaid, to which any proceedings, civil or criminal, shall relate, is printed or published, or intended so to be, of any legal notice, summons, subpoena, rule, order, or process of what nature soever, or to enforce an appearance in any suit, prosecution, or proceeding, civil or criminal, against any printer, publisher, or proprietor of any such newspaper or other printed book or paper so mentioned in such affidavit or affidavits, shall be deemed and taken to be good and sufficient service thereof respectively, against all persons named in such affidavit or affidavits as the proprietor or proprietors, publisher or publishers, or printer or printers, of the newspaper or other printed book or paper mentioned in such affidavit or affidavits: provided always, that if any such person or persons respectively as aforesaid, shall have signed sworn and delivered to the said Chief Secretary to Government, or other person acting and officiating as such as aforesaid, previous to the day of the date of publication of the newspaper or other such printed book or paper as aforesaid to which the proceeding in Court shall relate, an affidavit or affidavits taken before him, he being a Justice of Peace, and it not before any Justice of Peace acting within the Presidency, that he, she, or they, have ceased to be the printer or printers, proprietor or proprietors, publisher or publishers, of such newspaper, or other such printed book or paper as aforesaid, and shall make proof thereof, such person or persons shall not be deemed, by reason of any former affidavit or affidavits so delivered as aforesaid, to have been the proprietor or proprietors, printer or printers, publisher or publishers, of the same, after the day on which such last mentioned affidavit or affidavits shall have been delivered to the said Chief Secretary, or other person acting and officiating as such, as aforesaid.

X.—And be it further ordained by the authority aforesaid, that the said Chief Secretary, or other person acting and officiating as such, by whom such affidavits shall be kept according to the direction of this rule, ordinance, and regulation, shall, and he is hereby required, upon application made to him by any person or persons requiring a copy certified according to this rule, ordinance, and regulation, of any such affidavit as aforesaid, in order that the same may be produced in any civil or criminal proceedings, to deliver to the person so applying for the same, such certified copy, he, she, or they, paying for the same the sum of one rupee and no more.

XI.—And whereas, in many cases it may be productive of public inconvenience to require that the Justice of Peace before whom such affidavits as are hereinbefore mentioned, are made, or the Chief Secretary to Government, or other person acting and officiating as such, into whose custody such affidavits may have been delivered, should be required personally to attend, in order to prove upon the trial of any action, prosecution, suit, indictment, information, or any other proceeding, that the parties signing, swearing, and delivering such affidavit or affidavits, did swear the same in the presence of such Justice of the Peace, and did deliver the same to such Chief Secretary, or other person acting and officiating as such, before and to whom the same shall have been sworn or delivered respectively: Be it further ordained by the authority aforesaid, that in all cases a copy of any such affidavit, certified to be a true copy under the hand of such Chief Secretary, or other person acting and officiating as such, in whose possession the same shall be, and likewise under the hand of the Justice of Peace before whom the same shall have been sworn, in case the said affidavit or affidavits shall not have been duly sworn before the said Chief Secretary, or other person acting and officiating as such, in his character of a Justice of Peace, shall, upon proof made that such certificates have been signed by the handwriting of the persons making the same, and whom it shall not be necessary to prove to be Chief Secretary to Government, or a person acting and officiating as such, or a Justice of Peace, be received in evidence

as sufficient proof of such affidavit, and that the same was duly sworn, and of the contents thereof; and such copies, so produced and certified, shall also be received as evidence that the affidavits of which they purport to be copies, have been duly sworn according to this rule, ordinance, and regulation, and shall have the same effect for the purposes of evidence, to all intents whatsoever, as if the original affidavit or affidavits, of which the copies so produced and certified shall purport to be copies, had been produced in evidence, and been proved to have been so duly certified and sworn by the person or persons appearing by such copy to have sworn the same as aforesaid.

XII.—And be it further ordained, by the authority aforesaid, that if any person, not being such Chief Secretary as aforesaid, or other person acting and officiating as such, or such Justice of Peace as aforesaid, shall give any such certificate as aforesaid, or shall presume to certify any of the matters or things by this rule, ordinance and regulation, directed to be certified by such Chief Secretary, or other person acting and officiating as such, or such Justice of Peace as aforesaid, or which such Chief Secretary, or other person acting and officiating as such, or such Justice of Peace as aforesaid, is hereby empowered or intusted to certify, he shall forfeit and lose the sum of 1000 rupees.

XIII.—And be it further ordained, by the authority aforesaid, that if any person shall knowingly and wilfully falsely certify under his hand that any such affidavit as is required to be made by this rule, ordinance and regulation, was duly signed and sworn, the same not having been so sworn or signed, or shall knowingly and wilfully falsely certify that any copy or copies of any affidavit or affidavits, is or are a true copy or copies of the affidavit or affidavits of which the same are certified to be such copy or copies, or shall knowingly and wilfully falsely certify or express in any certificate that the affidavit or affidavits of which any copy or copies are certified to be a true copy or copies, was or were duly sworn before the person so certifying, by the party or parties whose name or names appear subscribed to the same as the name or names of the party or parties swearing and signing the same, every person so offending shall, in each and every such case respectively, forfeit and lose the sum of 1000 rupees.

XIV.—And be it further ordained, by the authority aforesaid, that from and after fourteen days after the registry and publication of this rule, ordinance and regulation, in the Supreme Court as aforesaid, the printer or publisher of every newspaper, or other such printed book or paper as hereinbefore described, shall, upon every day upon which the same shall be published, or within six days after, deliver to the Chief Secretary of Government for the time being, or other person acting and officiating as such, or to some officer to be appointed by him to receive the same, and whom he is hereby required to appoint for that purpose, one of the newspapers or other printed book or papers hereinbefore described, so published upon each such day, signed by the printer or publisher thereof in his handwriting, with his name and place of abode; and the same shall be carefully kept by the said Chief Secretary, or other person acting and officiating as such, or such officer as aforesaid, in such manner as the said Chief Secretary, or other person acting and officiating as such, shall direct; and such printer or publisher shall be entitled to demand and receive from the said Chief Secretary, or other person acting and officiating as such, or such officer, once in every six days of publication, if required, the amount of the ordinary price of the respective newspapers or other printed books or papers so delivered; and in every case in which the printer and publisher of such newspaper, or other such printed book or papers as aforesaid, shall neglect to deliver one such newspaper or other printed book or paper, in the manner hereinbefore directed, such printer and publisher shall, for every such neglect respectively, forfeit and lose the sum of one thousand rupees; and in case any person or persons shall make application to the said Chief Secretary, or other person acting and officiating as such, or such officer as aforesaid, in order that such newspaper or other printed book or paper so signed by the printer or publisher may be produced in evidence in any proceeding, civil or criminal, the said Chief Secretary, or other person acting and officiating as such, or such officer, shall, at the expense of the party applying at any time within two years from the publication thereof, either cause the same to be produced in the court in which the same is required to be produced, and at the time when the same is required to be produced, or shall deliver the same to the party applying for it, taking, according to his discretion, reasonable security, at his expense, for the returning the same to the said Chief Secretary, or other person acting and officiating as such, or such officer; and in case, by reason that the same shall have



been previously required by any other person to be produced in any Court, or hath been previously delivered to any other person for the like purpose, the same cannot be produced at the time required, or be delivered according to such application, in such case the said Chief Secretary, or other person acting and officiating as such, or such his officer, shall cause the same to be produced, or shall deliver the same as soon as they are enabled so to do.

XV.—And be it further ordained by the authority aforesaid, that from and after fourteen days after the registry and publication of this rule, ordinance, and regulation in the Supreme Court as aforesaid, every person having any printing press, or types for printing within the Presidency of Bombay, shall cause a notice thereof signed in the presence of and attested by one witness, to be delivered to the Chief Secretary of Government for the time being, or other person acting and officiating as such, according to the form hereinafter prescribed; and such Chief Secretary, or other person acting and officiating as such, shall, and he is hereby authorized and required to grant certificate in the form hereinafter prescribed, and shall file such notice, and every person who, not having delivered such notice, and obtained such certificate as aforesaid, shall, from and after the expiration of fourteen days next after such registry and publication of this rule, ordinance, and regulation as aforesaid, keep or use any printing press or types for printing, or having delivered such notice, and obtained such certificate as aforesaid, shall use any printing press or types for printing in any other place than the place expressed in such notice, shall forfeit and lose the sum of 400 rupees.

XVI.—And be it further ordained by the authority aforesaid, that from and after fourteen days after the registry and publication of this rule, ordinance, and regulation as aforesaid, every person who shall print any paper or book whatever within the Presidency of Bombay, not being intended to be published periodically, but which shall be meant and intended to be published or dispersed, whether the same shall be sold or given away, shall print upon the front of every such paper, if the same shall be printed on one side only, and upon the first and last leaves of every such last mentioned paper or book which shall consist of more than one leaf in legible characters, his or her name, and the name of his or her dwelling house or usual place of abode; and every person who shall omit so to print his name and place of abode on every such last mentioned paper or book printed by him, and also every person who shall publish or disperse, or assist in publishing or dispersing, either gratis or for money, any such last mentioned printed paper or book, which shall have been printed after the time hereinbefore last specified, and on which the name and place of abode of the person printing the same shall not be printed as aforesaid, shall for every copy of such paper so published or dispersed by him, forfeit and pay the sum of 400 rupees.

XVII.—And be it further ordained by the authority aforesaid, that every person who from and after the time hereinbefore last specified, shall print, within the Presidency of Bombay, for hire, reward, gain, or profit, any book or paper whatsoever, not intended to be published periodically, but which shall be intended to be published or dispersed, shall carefully preserve and keep one copy (at least) of every such last mentioned book or paper so printed by him or her, on which he or she shall write or cause to be written or printed in fair and legible characters, in the same language and character as that in which such book or paper shall be printed, the name and place of abode of the person or persons by whom he or she shall be employed to print the same, and every person printing any such last mentioned book or paper whatsoever for hire, reward, gain, or profit, who shall omit or neglect to write or cause to be written or printed, as aforesaid, the name and place of abode of his or her employer on one of such last mentioned printed books or papers, or to keep or preserve the same for the space of six calendar months next after the printing thereof, or to produce and show the same to the Chief Secretary to Government for the time being, or other person acting and officiating as such, or to any Justice of the Peace acting within the Presidency of Bombay, and who, within the said space of six calendar months, shall require to see the same, shall for every such omission, neglect, or refusal, forfeit and lose the sum of four hundred rupees.

XVIII.—And be it further ordained by the authority aforesaid, that if any Justice of the Peace acting within the Presidency at Bombay, shall, from information upon oath, have reason to suspect that any printing press or types for printing is or are used or kept for use, without notice given and certificate obtained, as required by this rule, ordinance, and regulation, or in any place not included in such notice and certificate, it shall be lawful for such Justice, by warrant, to direct,

authorize, and empower, any of his officers, in the day time, with such person or persons as shall be called to his assistance, to enter into any such house, room, and place, and search for any printing press or types for printing; and it shall be lawful for every such peace officer, with such assistance aforesaid, to enter into such house, room, or place, in the day time accordingly, and to seize, take, and carry away, every printing press found therein, together with all the types and other articles thereto belonging and used in printing, and all printed papers found in such house, room, or place.

XIX.—And be it further ordained by the authority aforesaid, that all offences committed, and all pecuniary forfeitures, and penalties had or incurred under or against this rule, ordinance, and regulation, shall and may be heard and adjudged and determined by two or more of the Justices of the Peace, acting within the Presidency of Bombay, who are hereby empowered and authorized to hear and determine the same, and to issue their summons or warrant for bringing the party or parties complained of before them, and upon his or their appearance or contempt and default, to hear the parties, examine witnesses, and to give judgment or sentence according as in and by this rule, ordinance, and regulation, is ordained and directed, and to award and issue out warrants, under their hands and seals, for the paying of such forfeitures and penalties as may be imposed, upon the goods and chattels of the offender, and cause sale to be made of the goods and chattels, if they shall not be redeemed within six days, rendering to the party the overplus, if any be, after deducting the amount of such forfeiture or penalty, and the costs and charges attending the levying thereof; and in case sufficient distress shall not be found, and such forfeitures and penalties shall not be forthwith paid, it shall and may be lawful for such Justices of the Peace, and they are hereby hereby authorized and required by warrant or warrants under their hands and seals to cause such offender or offenders to be committed to the common jail of Bombay, there to remain for any time not exceeding four calendar months, unless such forfeitures and penalties and all reasonable charges shall be sooner paid and satisfied, and that all the said forfeitures when paid and levied, shall be from time to time paid into the treasury of the United Company of Merchants of England trading to the East Indies, and to be employed and disposed of according to the order or directions of his Majesty's said Justices of the Peace, at their general quarter or other sessions.

XX.—Provided always, and be it further ordained by the authority aforesaid, that nothing in this rule, ordinance, and regulation contained, shall be deemed or taken to extend or apply to any book or paper printed by the authority and for the use of the Government of any or either of the three Presidencies of India, or to any printed book or paper containing only shipping intelligence, advertisements of sales, current prices of commodities, rates of exchange, or other intelligence solely of a commercial nature.

No. I.—*Form of Notice to the Chief Secretary or other person acting as such, that any person keeps any printing press or types for printing.*

I, A. B. of                      do hereby declare that I have a printing press and types for printing, which I propose to use for printing within the Presidency of Bombay, and which I require to be entered for that purpose, in pursuance of the rule, ordinance, and regulation, No.                      of 1825.

Witness my hand, this                      day of

Signed in the presence of

A. B.

No. II.—*Form of Certificate that notice has been given of a printing press or types for printing.*

I, C. D. Chief Secretary to Government, (or acting Chief Secretary,) do hereby certify, that A. B. of                      hath delivered to me a notice in writing, appearing to be signed by him, and attested by                      as a witness to his signing the same, that he the said A. B. hath a printing press and types for printing, which he purposes to use for printing within the Presidency of Bombay, and which he has required to be entered, pursuant to the rule, ordinance, and regulation, No. 1. of 1825.                      Witness my hand, this                      day of

C. D.

*Published by Order of the Honourable  
the Governor in Council.*

*Bombay Castle,  
25th May, 1825.*

D. GREENHILL,  
*Acting Sec. to Govt.*

## AFFIDAVIT OF MR. NORTON.

## PROCEEDINGS IN THE SUPREME COURT OF BOMBAY.

April 2, 1825.

MR. IRWIN moves, *ore tenus*, on behalf of Mr. Advocate-General, that Mr. Browne, one of the Attorneys of the Court, may be ordered to answer the matters contained in the Affidavit now produced, of GEORGE NORTON, Esq.

Some parts of the Affidavit of Mr. Norton, referred to by Mr. Irwin, were read.

By the COURT.—Motion refused.

MR. BROWNE moves, that the Affidavit of Mr. Norton be filed.

MR. IRWIN not opposing.

By the COURT.—Ordered, that the Affidavit of Mr. Norton be filed on the Crown side.

## AFFIDAVIT.

George Norton, of Bombay, Esq., maketh oath and saith, that on Saturday, the 26th day of February last, he was occupied in Court in arguing a case, as Counsel, upon the instructions of Mr. Browne, who is an Attorney of this Court, and that in the progress of that argument, Mr. Browne repeatedly called this deponent's attention to some statements made in a certain Affidavit. And this deponent saith, that he had before, and in the course of the same day, moved the Court, that this Affidavit might be filed and read in the cause, but that such motion had been positively rejected; and further, that the Court has subsequently refused to read this same Affidavit, as having been irregularly filed. And this deponent further saith, that upon Mr. Browne's so calling this deponent's attention to the said Affidavit, he, this deponent, as repeatedly informed him that he could not notice any of its contents for the reasons mentioned; but notwithstanding this, that subsequently, and in the course of the same morning, and upon hearing Counsel on the opposite side, referring to some statements before the Court in the cause, Mr. Browne told this deponent that such statements were all contradicted in the Affidavit herein referred to, and accused this deponent of not having read it, using words, to the best of this deponent's recollection, to this effect: "It ought to be stated to the Court, that this is all contradicted: I will show you the words." Whereupon this deponent said, it was of no use to refer to that Affidavit, as he could not avail himself of it; and Mr. Browne replied, "Sir, you wont read this Affidavit." And this deponent saith, that he then told Mr. Browne, that he had read it more than three times; and that if he persisted in the course he was taking, he should throw up his instructions at once, for that he prevented this deponent from conducting his case with any effect, by withdrawing his attention by his perpetual plague and interruption. And this deponent saith, that he expressed himself precisely to this effect, and to the best of his recollection, in these very words, but in an angry manner. And this deponent saith, that upon his thus expressing himself, Mr. Browne began to address him again; but this deponent interrupted him, and said, "I desire, Sir, you will hold your tongue; I will not allow any further conversation with me;" which he repeated, though in vain, many times, upon Mr. Browne's continuing his attempts to address him; till, at last, Mr. Browne declared he would address the Court. And this deponent said, "Do so, but don't address me." To which Mr. Browne replied, "I shall not address the Court, for I can protect myself." And this deponent saith, that upon this he told Mr. Browne, in an angry manner, and under much irritation, to the effect, and, to the best of this deponent's recollection, in words that, for the future, he, this deponent, would not allow him to hold any private conversation with him whatever, either in Court or at this deponent's office, about his instructions, which was the only defence he had against such fellows as him. And this deponent saith, that after this, Mr. Browne made several other remarks, and, amongst others, that this deponent was very impertinent; but this deponent merely waved his hand, and

made no further answer or observation whatever. And this deponent saith, that the manner of Mr. Browne was, throughout almost the whole of this altercation, violent and purposely disrespectful.

And this deponent further maketh oath, and saith, that between five and six o'clock on the Monday morning following, a young gentleman in the army, who was an entire stranger to this deponent, desired, by a note couched in the terms of an acquaintance, the favour of a short interview; in the course of which he informed this deponent, that he waited upon him on behalf of Mr. Browne for an explanation of this deponent's language on the Saturday preceding. Whereupon this deponent informed him to the effect, that Mr. Browne's own conduct and language on that occasion had been such as, he conceived, rendered such a demand unjustifiable. That the gentleman then said, that as this deponent declined any explanation, he would ask him to name some friend whom he might wait upon,—meaning, as this deponent believes, for the purpose of arranging a duel between this deponent and Mr. Browne. That this deponent told the gentleman, that he should not mention the name of any friend with a view to this deponent's meeting Mr. Browne in the way he proposed; and added, that, independent of the quality of Mr. Browne's behaviour on the occasion in question, the whole subject of offence took place between himself and an Attorney in the progress of a professional transaction. And this deponent further informed that gentleman, that if Mr. Browne took any further step of this nature, he, this deponent, should bring his conduct before the consideration of the Court.

And this deponent further maketh oath, and saith, that upwards of a fortnight after this interview, Mr. Browne came into this deponent's office, and after seating himself, said, that he found himself constrained to call upon this deponent, in consequence of a rumour that this deponent had made some remarks upon his character, to the effect, that he did not consider Mr. Browne in the light of a gentleman. To which this deponent replied, that he had made no remarks at all about his character. That Mr. Browne thereupon declared himself much obliged by such disavowal, and then alluded to the interview hereinbefore stated. That this deponent told him, that he, Mr. Browne, perfectly well knew that he, this deponent, had never had any intercourse with him whatever, except in his character of an Attorney; and that such was the nature of his intercourse with him on the occasion he alluded to. And that as to any explanation required at this deponent's hands, he, this deponent, had informed his, Mr. Browne's, friend, that he conceived Mr. Browne's own conduct and language had been such as to disentitle him to any. And this deponent further saith, that Mr. Browne, after some few observations about what he imagined to be the proper course between an attorney and his own counsel, said, that, under the circumstances, he felt himself under the necessity of informing this deponent, that he should, on any future occasion of this kind, hold a horsewhip over this deponent's head. Whereupon this deponent immediately ordered him out of his office, and desired him not to enter it again on any account, as he should hold no further communication with him, either professionally or otherwise.

(Signed)

GEORGE NORTON.

Sworn at Bombay, aforesaid, this 29th day  
of March 1825, before me,

(Signed)

M. WEST.

*Deputy Clerk of the Crown.*

## DEBATE AT THE EAST INDIA HOUSE.

*East India House, Jan. 25, 1826.*

THE minutes of last Court having been read,

THE HON. L. STANHOPE said, Before the important question, which is for discussion this day, is entered upon, I wish to be informed whether either the Marquis of Hastings or Lord Wellesley has been nominated to the Government of British India, or whether Lord Amherst has been recalled? In stating my reasons for asking this question, I will take up but very little time of the Court. If I am satisfactorily answered, I shall not be necessitated to make a specific motion on the subject. I ask this question, because I think that Lord Amherst has unnecessarily plunged this country into a most destructive war. When I hear of the calamitous events which are daily occurring in India, of the great number of my brother soldiers that are perishing in the unwholesome swamps and uncongenial climate they were led into—when I recollect, too, the enormous expense to which this country is put, in carrying on this most disastrous war, amounting, I believe, to a million of rupees per month—

Sir JOHN SEWELL.—I rise to order. The hon. Proprietor stated, that he meant to put a question, and now he is entering into all the reasons, in detail, for doing so. He is going into matters not before the Court, and which cannot be entertained, unless a specific motion had been made.

THE HON. L. STANHOPE.—The learned Gentleman has stated correctly the course I intend to pursue. I wish to ask a question, and I am giving certain reasons upon which that question is founded. In the way that I intend to do that, I shall not occupy more than two or three minutes of the time of the Court. But if I am not allowed to pursue that course, I shall be obliged to make a specific motion on the subject. I was complaining of the enormous expense this country was put to in the prosecution of the present war. The expense was so great, that since I last addressed the Court upon this subject, three months ago, a sum had been laid out sufficient to have built a second St. Pauls, or to have constructed the projected quay upon the banks of the Thames, and have made this the finest city in the world. I have another reason which induces me to ask this question, and it is the firm conviction I entertain, that if Lord Amherst be allowed to remain at the head of affairs in India, we shall ultimately lose that country, as we formerly did America. I think it very extraordinary that a man like Mr. Canning, who possessed undoubted talents, and who had conferred extraordinary benefits on the country—

THE CHAIRMAN.—I think the hon. Proprietor is unnecessarily consuming the time of the Court, when no motion is regularly before it.

MR. HUME.—The hon. Proprietor had better follow the usual course, and allow the business of the day to have precedence. No man feels more strongly than I do on the subject to which my hon. and gallant Friend has alluded; but still I think it preferable not to introduce it at this period of the day.

MR. R. JACKSON said—When questions are asked, or notices of motions given, and such questions or notices prefaced by arguments, it is manifestly irregular. I intend to ask some questions to-day of very great importance to the Company; but if I preface it by an address, which cannot regularly be answered, I am convinced I should be acting contrary to the rules of order. I might consume so much of the time of the Court as to exclude entirely the discussion of the question for which we are assembled.

THE HON. L. STANHOPE.—The learned Gentleman, who complains so much of the time of the Court being consumed, is taking up more time than I should, had I been allowed to continue.

MR. R. JACKSON.—Put the question direct, and then there can be no objection to it.

The Hon. L. STANHOPE.—My question then is, whether the Marquis of Wellesley or the Marquis of Hastings has been placed at the head of the Government of British India, or whether Lord Amherst is allowed to remain there? If he be, then we are likely to lose our possessions in that part of the world, as we lost America.

The CHAIRMAN.—If I understand the question of the gallant officer, it is, whether the Marquis of Hastings or the Marquis of Wellesley has been proposed or appointed to the situation of Governor of India? I have no hesitation in saying, that I have proposed neither one nor the other, and they have not been proposed by me. There is no question at present for the removal of Lord Amherst, and he is not removed.

OUDE PAPERS.

The CHAIRMAN was about to state the purpose for which the Court had been convened, when

Mr. HUME said—Before I address the Court on the motion, which it is assembled to consider, perhaps I may be permitted, for the convenience of gentlemen who come here to consider another subject, to ask whether you, Sir, have not received a letter from Sir John Doyle, on the subject to which I have alluded; and if so, I wish to be informed whether there is any objection to dispose of that question first?

The CHAIRMAN.—I can see no objection to have the letter read, which was received from the worthy Baronet yesterday.

(The letter was read by the Clerk. Sir John Doyle stated, that labouring under a severe cold and sore throat, that prevented his attendance at the Court to-day, he requested that the Court of Directors might postpone the motion till Wednesday se'nnight, or any other day they might think fit.——The Court of Directors wrote, in answer to the above letter, that they had not the power to adjourn to a given day the consideration of the subject, of which the hon. Baronet had given notice. They also stated, that they would cause the letter of the hon. Baronet to be read in the General Court to-morrow, when, perhaps, the most convenient course would be, for one of his friends to move for the postponement of the question to some specific day, or *sine die*.)

Mr. HUME.—I now move, at the request of Sir John Doyle, that the consideration of the question be postponed till this day fortnight.

The CHAIRMAN.—I think it would be more convenient if the question were adjourned to the next quarterly General Court. Parliament was about to meet, and that might give occasion to call a General Court. But at any rate the ordinary matter would occupy but a short time at the next Quarterly General Court, and the remainder of the day might be devoted to the consideration of Sir John Doyle's motion.

Mr. R. JACKSON.—I am strongly inclined to accede to any proposition that comes from the Chair, particularly if the suggestion is founded on the plea of convenience. There could be but one feeling and one wish on that point; but I must say, that unless the Proprietors are desirous of postponing this important question, they could not agree to such a distant day as the hon. Chairman had pointed out. Sir John Doyle wished, on account of temporary indisposition, that his motion might be postponed for a short time, but to adjourn it for seven or eight weeks would be in fact to refuse his request. If Wednesday fortnight were an inconvenient day, let another day be named within a reasonable time. The friends of the Marquis of Hastings thought that the Oude Papers contained injurious reflections on his character; and it was for this reason the hon. Baronet determined to bring them forward to the view of the Proprietors. The hon. Baronet considered the character of the Marquis of Hastings attacked, and he meant to defend that character. Was it fair that that defence should be deferred until its noble object had left the shores of his country for his honourable exile in Malta? But that would be the effect of postponing it for seven or eight weeks. The alternative was therefore either to refuse the application of the hon. Baronet, or to allow his motion to come on, while the noble Marquis remained in this country.

The CHAIRMAN.—I beg leave to state that I do not oppose the proposition; I merely throw out an idea. It strikes me that the learned Gentleman has taken up the matter as if I wished to resist the bringing forward of the question on the day proposed. I never had such an intention, although the learned Gentleman seemed to contend that I had. I repeat, I only threw out a suggestion. I do not wish it, therefore, to be understood that I have any objection to the motion being brought forward at the time proposed.

Sir JOHN SEWELL.—The learned Gentleman, as I understand him, wishes that the motion might not be postponed, as the character of the Marquis of Hastings had been attacked. He was therefore anxious that the discussion might not be put off until the noble Marquis was some thousands of miles distant. Now, it is my opinion, that were it quite sure that the noble Marquis would be in this country when the motion was brought forward, it would be advisable to hurry it. But I understand, from very good authority, that the Marquis of Hastings's stay in England had been protracted far beyond what the exigencies of his Government fairly allowed, much against his own inclination, and against the wishes of the Government at home. A frigate had been prepared some time ago to carry his Lordship to Malta, and he had written a letter under the impression that his Lordship would have left this country six weeks ago. His Lordship would most probably sail in the course of a week, now that the Deccan Prize Money question was disposed of. The reasoning, therefore, of the learned Gentleman as to the absence of the Marquis of Hastings, and the necessity on that account of postponing the subject to an early day, did not apply. As to the motion of the hon. Baronet, I view it in a different light from the learned Gentleman; and when the hon. Baronet recovers his voice, I will state the reasons upon which my opinion is founded. I think it very hard upon the noble Marquis, the hon. Baronet, and their friends, if on account of the hon. Baronet's illness this question was deferred for any considerable time. But I must also state, that after a Court has been called for the purpose of considering this question, and if the hon. Proprietor who called it was not able to attend from indisposition, it was a little unreasonable towards those who had come a long way at considerable personal inconvenience, to appoint a day for considering the subject, without at all attending to their accommodation. I concur with the Chairman in what he had proposed. I think it to be the most preferable way to discuss the question when the Proprietors are called together for the despatch of business. That day would suit both the convenience of the Court of Directors and of the Court of Proprietors.

Mr. HUME.—The Court may dispose of the matter as they please, but I and my friends still have it in our power to call a meeting of Proprietors in the course of ten days. I therefore propose to let the matter stand over till the business of the day is finished.

The CHAIRMAN.—You had better dispose of it now.

Mr. HUME.—Then I propose the postponement of the motion till this day fortnight.

Mr. R. JACKSON.—I had not the least intention to insinuate that the Chairman wished to put off the question unnecessarily; and I can bear witness to the uniform kindness that both he and the Deputy-Chairman had used when speaking of the Marquis of Hastings.

Dr. GILCHRIST.—I wish the question to be brought forward as early as possible. We are all subject to death, and we cannot tell what might happen if this motion were put off to an indefinite period. I have always acted by this motto, "take time by the forelock," and I recommend it to be acted upon in the present case.

The CHAIRMAN put the question, that the consideration of the Oude Papers be adjourned to this day fortnight, which was carried in the affirmative.

#### EDUCATION OF CADETS.

The CHAIRMAN then acquainted the Court that it was farther made special for the purpose of taking into consideration the following proposition:—

"That this Court, considering the great importance of a knowledge of the

Hindoostanee language to European officers destined to act with and to command the Native troops in India, recommend to the Court of Directors to take into their consideration the propriety of making regulations, that no cadet shall henceforth be permitted to proceed to India, unless he shall upon examination be found sufficiently grounded in the rudiments of the Hindoostanee language."

Mr. HUME.—As I wish to obtain a favourable hearing of this important question, which I have introduced into this Court on several former occasions, considering it deserved all the attention that could be bestowed upon it, I beg to impress upon the minds of those gentlemen that now hear me, that the present question is one that can in no way affect myself. I cannot be supposed to be actuated by any feeling of personal inconvenience or interest; and if I did not consider the subject to be of immense importance to India, and if I were not pretty well sure that it was looked upon as such by every Proprietor present, I would not have taken up so much time of the Court as I have formerly done, and which I shall be obliged to do on the present occasion. It is from a conviction of the necessity that existed for giving the cadets sent out to India a proper education that I now address this Court; and I think the interests of this great Company, with which we are all connected, depends greatly on the success of the proposition I shall submit to them. It was necessary for the welfare of that country which we govern, to place persons over it capable of discharging their duties in the best possible manner. It was under this impression that I formerly submitted a motion to the Court on the subject of education; and I wish this Court to understand that I am not the only person who has forced this question upon public attention. I heard the name of the Marquis of Wellesley mentioned here to-day; and I wish it was consistent with the rules of this Court to read a minute of that noble Marquis of August 1800, complaining of the lamentable deficiency in a knowledge of the Oriental languages, which prevailed among the civil servants of the Company in India, and pointing out a remedy. The Court of Directors answered that minute in a very satisfactory manner, approving of the proposition for granting extensive instruction to the Company's servants, but differing as to the manner. Now, it is my opinion, that if instruction was good for the civil servants of the Company, it was also good for the military officers commanding the Company's troops in India, for it must be evident to any person who thought upon the subject, that men having arms in their hands, and prepared to perform military execution, should be so trained as not to be likely to be misled by error. But such had not always been the case, for fatal mistakes had taken place, where men were called upon to act who were utterly ignorant of the language of those people over whom they were placed. I am therefore prepared to maintain, that if it was thought of importance to extend proper instruction to the civil servants of the Company, it was equally so with regard to the military officers. This subject had been introduced into this Court in 1805. It was with the greatest pleasure I read the speech of my hon. friend (Mr. R. Jackson) on that occasion; and I feel much gratification at the resolution of the Court of Directors of that period, agreeing in the necessity of giving their servants the most ample means of instruction, and at the general feeling which prevailed of the necessity of the measure then contemplated, and the benefits that would result from the extension and continuance of the system. Now, it was rather singular, that with this impression on the mind of every person in the Court at that period, and, I may say, of every person with whom I have since conversed upon the subject, that the Company had allowed so many years to pass by without placing their military officers on the same footing with their civil servants in this respect. Great expense had been incurred for instruction, but it was not of that nature which I wish to see afforded; for certainly the progress of the young gentlemen in acquiring the Oriental languages was not so great as might be expected. The present Session of Parliament, I hope, will not be allowed to pass over without a remedy being applied to the evil, which ought not to be suffered to exist for a day longer. The ablest and most intelligent men then would perform those duties which at present are discharged by men who are



ignorant of the Native language, and who hold distinguished situations in the Company's service. It was thought necessary to guard against a defect of this kind in the civil service ; the Court should consider how much more necessary it was to prevent its existence in the military department. Such an evil would no longer be allowed to exist if its magnitude was only considered attentively. No man, I am sure, will venture to say, that no evils have occurred on the part of the officers through their ignorance of the Native language. I remember that it was a very strong argument on the part of the gentlemen behind the bar against this measure when I first brought it forward, that there was not the means in this country to afford that degree of instruction which was proposed. At that period, certainly, the opportunities of acquiring such instruction were very limited, compared to what they were now ; and for this happy change they had to thank the zeal and perseverance of his hon. Friend, (Dr. Gilchrist,) who, together with myself, has signed the requisition which has called the Proprietors together to-day. These beneficial effects were owing to the exertions of that gentleman in this country ; and were he not present, I would state, in warmer terms, the high sense which I entertain of the utility of that gentleman's efforts. I think his conduct cannot be praised too much ; and when the matter comes to be inquired into, he will be found to have conferred important and lasting benefits on India. The obstacle, however, which I met seven years ago, was now no longer in the way. There was then no establishment for instruction in the Hindoostanee language, except that formed by Dr. Gilchrist himself. But, independent of his establishments, there were now thirty, where young gentlemen might at a very little expense be instructed in the Native language. Perhaps, gentlemen in this Court were not aware of the number of persons put over the numerous armies in India, and who were, therefore, in a situation of great responsibility and importance. I may venture to say, that the Company have 150,000 men in arms, who are commanded by 5000 European officers. I cannot perfectly make up the number at this moment ; but in 1819, when I mentioned this subject to the Court, there were 3467 European military officers ; and at present, the individuals composing the officers of the Indian army amounted at least to between five or six thousand. It should be recollected, too, that great part of this number were not confined to military duty alone ; and I think I shall be able to prove, before I sit down, that part of an officer's duty cannot be properly or satisfactorily performed without his understanding Hindoostanee. If any gentleman is not convinced of the truth of what I state, I would recommend him to read a pamphlet, written by a military officer, who had been seventeen years in India, and which had been published after I had given notice of my motion. That pamphlet pointed out in the clearest manner the necessity of giving instruction in the Native language to military officers, for the purpose of discharging their duties in a proper and efficient manner. If the Directors, who ruled and governed India, had not as yet read that pamphlet, he would recommend them to do so as early as possible. It remarked, that the King's officers, from their ignorance of the Native language, were subjected to the greatest inconvenience. I have extracted from that pamphlet some observations which would give the Court an idea of what important duties King's officers had to perform, who were generally ignorant of the language.

If gentlemen are to proceed to India before being in part instructed in the language, I am decidedly of opinion that but few will have the perseverance and courage necessary for its acquirement after they reach the country. I am aware this is not a universal rule. I know there are instances to the contrary ; but I cannot but believe that nine out of ten of our Oriental scholars in India made some proficiency in the language before they proceeded to that country. They had a voyage of six months to perform, and this six months would not be neglected by young men, ardent in their pursuits, and anxious to make their way in life, and would afford an opportunity of acquiring a still further proficiency in the language, which they would probably never attain at all, if entirely overlooked while in this country. To show how many important duties European officers have to transact in India, I may mention

that, in 1822, there were in the engineers, the cavalry, the artillery, and thirty regiments of Native infantry, at the Presidency of Bengal, 1795 European officers. Now, of these 1795 officers, 1664 were present; and of that number, you will be surprised to learn, there were no fewer than 535 who held staff-appointments, or, in other words, were called upon to perform duties out of the ordinary line of military business. Now military officers, it is well known, are frequently selected to take charge of the commissariat, to take surveys, to overlook the arsenal, and are occasionally called to diplomatic missions; and with all due deference to their civilians, I believe it will be found that, on a fair view of the conduct of the military men employed in diplomatic missions, it will bear a no mean comparison with that of their more favoured and superiorly educated brethren. The civilians have not to climb the ladder of promotion with the toil which the military men are compelled to undergo. These do not proceed to India with those high, and, I contend, mischievous feelings of dignity, which are imbibed by the civil servants of the Company. They are not so well paid, and therefore feel the necessity of proceeding in their course with steadiness, step by step. Now when we see that a third of our military officers in India are employed on staff-appointments, how can we, sitting in this Court as reasonable men,—with what satisfaction can we declare we have performed our duty towards that great empire, or to those gentlemen, if we send them out destitute of that knowledge which is indispensable to the discharge of their important functions? Would any gentleman, I ask, be he a merchant trading to Spain or to Holland, would he employ a man in his service who was ignorant of a word of Spanish or Dutch? Would he send such an individual to barter with the natives? Could such a man perform the duties that fall to an agent without a knowledge of the language spoken by those with whom he has intercourse? The merchant, of course, would say: “I want a person who understands Spanish or Dutch to transact my business. I will not intrust my affairs to a man who is utterly ignorant of these languages.” Were any merchant to act otherwise, I should consider him one who did not understand what appertains to his own interests. The highest and the lowest individuals in the mercantile world would act in the way I have described. Then how can we, who are Proprietors of East India Stock,—how can the Directors reconcile it to their duty, to pursue a different course with respect to the affairs of their empire, which they would not adopt in a case in which their own private interests are concerned? I only ask of you to make some similitude between your conduct as public men, and that which you would pursue as private individuals. You have seen that a third of your military officers, in staff situations, are employed in functions foreign to their military duties; and ought they not, I say, to receive that kind of instruction which is adequate, and indeed indispensable, to the discharge of those functions? I regret to say, that accounts from India contain great complaints of some of the appointments which have been lately made. It is asserted, that individuals have been appointed to the staff, who are totally unfit to fill their situations. I sincerely trust that we shall have some statements sent home, showing how basely an extensive patronage has been abused, and the public interest sacrificed to the promotion of private convenience. I never recollect to have seen so many statements of this kind before from India; and am sure if there are any military men in Court, or any other individuals, who have lately received communications from India on this subject, they will attest the truth of what I have said. I regret the fact the more on this account, because the ignorance of individuals employed in departments which their imperfections, arising out of an ignorance of the Native language, render them inadequate to fill, gives rise to the obstruction of regular supplies in different quarters. Every one who has been in India must know how helpless and utterly useless an animal is a European ignorant of the vernacular language. Lord Minto, in one of his despatches in 1808, enumerates, very pointedly, the evils likely to arise from such an ignorance. His Lordship says, in the first place, that such a want of knowledge on the part of the Company’s servants, creates, unavoidably, an almost unlimited dependence on the Natives. How much

extortion, (his Lordship asks,) how much cruelty to the Native subject, result from this ignorance? And, on the other hand, how much ruin and distress to the unfortunate European, whose ignorance of the language delivers him up to the rule and power of men whom he should, by rights, direct, but who soon change their condition of servants for that of masters? How much loss and misery, how much ruin and disgrace, have resulted, and are every day resulting, from this cause, a very short acquaintance with India will show. These remarks his Lordship used in reference to the civil service, and I believe with great justice. But it appears to me that they are equally applicable to the military service; and we should have observed very different effects at this day, if the Company had adopted the same plan of educating their military officers as they put in force with respect to their civil servants. The number of cadets sent to India, from 1814 to 1820, was 2574; and from 1820 to 1823 and 1824, it was 4728, exclusive of medical servants; thus making a total of upwards of 7000 military officers, who, since the date of the last charter, have been sent to India. Not an officer of this large number but would have been qualified for the performance of all his duties, if proper attention had been at the time devoted to the instruction of the cadets in the vernacular language. How important a consideration! We cannot, it is true, correct what is past, but it behoves us to look to the future, and to see that henceforward no officers are allowed to proceed to India but such as are duly qualified for the performance of their duties. I am aware it will be said, the duties of a civilian are very different from those of a military officer; but this is the fact only in one view of the case. If we look to the intercourse the latter has with the Natives, it will be seen that a knowledge of the language is more necessary for him than for the civilian. Natives of consideration and talent constantly surround the civilians, and these correct them when wrong in the interpretation of any document or of any conversation. The military officer, on the contrary, has no such assistance within his reach. (*Hear.*) Unless he is master of the language commonly spoken, he cannot transact his functions in an efficient way. The Marquis of Hastings, in 1814, applied his hand to the correction of one of the then existing abuses; and we owe to that nobleman an improvement of the system then acted on. He appointed interpreters to each Native regiment. This, in fact, was a reflection on the Company. Is it credible that, at so late a period, it was found necessary to appoint interpreters between the Native troops and their European officers? Good God! is it not a reproach to the Company, that at that time of day, men were obliged to be nominated to assist our military officers in interpreting,—officers who were destined to spend their whole lives in the service? In what a situation, then, are the European officers in the Company's service placed? For it is a fact, that in times of the most urgent need,—in times when the value of an officer is best proved, they are placed in dependence on, and at the mercy of, these interpreters, because they are of themselves unable to understand any information, however important, unless through their medium. The appointment, therefore, of these interpreters, though honourable to the Marquis of Hastings, is a disgrace to the Company, and a stigma on the Indian army. Were it possible for one of these individuals to divide himself into ten parts, or if he were possessed of ubiquity, his services might be available to the ten companies. But, in truth, he can be of but little use. Especially in time of action, how could he attend at different points where his assistance might be required? Will it be believed, that though interpreters were nominated to the Native regiments, the European regiments are left without any? This style of proceeding is of a piece with the Company's usual inconsistency. A body of 1060 Englishmen are thus landed on the shores of India, without the means of communicating with any of the Natives they may come in contact with. They are every one of them ignorant of the language of the country, from the colonel to the common soldier; so that if, in the common course of occurrences, disputes arose with the Natives, oppressions were committed, or frauds and extortions practised, the individuals who ought to decide on the merits of the cases, and see justice done between the parties, can neither do one nor the other. Spain

has been reproached for her conduct with respect to her South American colonies, and with justness blamed for not ruling them in a manner consistent with good government. But the conduct of the East India Company is, I contend, equally blameable; for to the ignorance of the Native language which prevails among our European officers, are to be attributed many of the most disgraceful actions,—the destruction of the lives of thousands of their countrymen, and the loss of much treasure. While I was in India, I was witness to a most lamentable transaction, which originated out of this disgraceful ignorance of the spoken language of the country. This ignorance, too, was nearly the destruction of the 1st battalion of the 18th regiment of Bengal infantry, in 1801. I proceeded, in the morning, forward with my regiment, and before twenty-four hours had elapsed, one half of the regiment was cut to pieces, and every one of its European officers killed. I happened to be the interpreter at the court-martial which was held to investigate this affair, and the melancholy fact was proved, that not one of the European officers belonging to the unfortunate detachment understood a word of the Native language. The Commanding Officer, being thus ignorant, could not avail himself of the advice offered by the Natives, which would have obviated the dreadful calamity, and rescued the troops from destruction. The evidence which was tendered in open court, set this fact in a positive light, and likewise proved that some officers, who had been in India for nearly fifty years, were unacquainted with the vernacular language.

A subahdar, who had been 30 years in the service, stated, that intimation was given to the officers of the detachment, that if precautionary measures were not adopted, the enemy's horse would break through such and such places. This information was rendered abortive by the lamentable ignorance of the language in which it was given. Now, when a case of this nature comes to our knowledge, is it not reasonable to infer that many occur of which we hear nothing? I hope, for the sake of common humanity, as well as for the safety and security of our troops in India, that this stigma will be removed. It is not the fact, as may be asserted, that though a knowledge of the Native tongue is available to civilians, it is of no use to military men, but in fact, quite the reverse. I will here just point out a few of the duties to which a military officer is obliged to attend. When the cadet lands in India, he is suffered at the utmost to remain but one month in Calcutta, and the present dearth of military officers in India was the occasion of this. He is then despatched to join some body of troops in the interior, and though he may perhaps be but 16 or 17 years old, he is intrusted with the command of a company. I regret exceedingly that young men should be sent out so raw and inexperienced. It is indeed no small matter of surprise that so many good and able officers should be reared from so weak a stock. At this moment I believe there is not a single European officer in India but who has the charge of a company; and it was even the fact, that a young ensign or lieutenant had occasionally been intrusted with the care of two or three, so few are the officers in number. Now, a young man when he lands cannot, as in the King's service, have a European attendant, but must take a Native, who cannot assist him in any way from the want of the means of communication. He may indeed proceed so far in his proficiency as to learn to say, "give me water," "give me bread," but when his servant begins to inform him of any matter of importance, he is totally in the dark. It may be said, why not call in the interpreter? But it must be borne in mind that there is but one interpreter to each regiment of ten companies, so that if his services are to be put in requisition at every hand stirring, the officers would have little else to do but to run about from one place to another in search of him. Now let us consider for a moment the various duties which an officer at the head of a company has to attend to. The Native subalterns have to make a report to him of every occurrence, and yet he is as capable of understanding that report as the statue in that niche. Now, instead of this state of things, the European officer ought in every way to be above the Native subaltern, he ought to be acquainted with all the latter knows, in addition to his own stock of European knowledge. This should be the proper state of things; but at present how is

it? The European officer cannot receive a report from his Native subaltern. Can we hope, under such circumstances, to maintain our superiority in India? This state of things was never intended, and military business cannot go on unless it is altered. The European officer ought to be able to attend to all complaints, and when on parade to inquire into the details connected with the troops, and to see that every thing is in proper order. We can have efficiency in our army under no other system than this. How is a young man situated, who is untutored in the language of those whom he commands? Nay, in what a situation is an old man placed under such circumstances? I have known officers who have spent 30 years in the service, and yet at the end of that time, have known no more of the language than was necessary to administer to their sensual wants. Such a person is inadequate to the conducting of his own household; he is utterly useless in business and inefficient on parade. He cannot perform his duties as he ought; and the duties of a European officer will be found to increase as he proceeds, and to be of a higher character than those I have just enumerated. He has to look after the supplies and accommodations of his troops, who are almost constantly in motion. The system which is acted upon in India is to spare as much as possible the European troops, and to reserve them for circumstances of emergency only. The companies of a Native regiment are seldom to be found in one place, but being employed in assisting the amils and chiefs in gathering in the revenue, are spread in different directions. Now, the officer who commands such a body of troops as this, is often required to act as a negotiator, and should consequently be more intelligent than the ordinary run of officers. But let his intelligence be what it may as an Englishman, still he must act in a manner blindfold from his ignorance of the language used by his troops, and thus his superiority was rendered of no avail. I will mention another point of great importance. I believe the Company are very anxious to prevent as far as possible the pillage of the Natives by the camp followers, and to protect the inhabitants; but when the European officer can understand no complaint that is made to him, how is this object to be attained? How can justice be administered when the officer to whom complaints are made, does not understand the language they are made in? Now, when on the march, can supplies be obtained speedily and at a fair rate, if the commanding officer knows nothing of the Native tongue? for, as he must of necessity rely on some person in the market, or to some venal servant, abuses will of a consequence prevail. In these affairs, I find the conduct of people in the East similar to that of those in the West: they are pretty nearly alike when advantage is to be taken in making a bargain. (*A laugh.*) They seem as fond of plunder in India as in England; and fraud can only be prevented by keeping a sharp look out. But is it not as holding out an opportunity for the commission of abuses, when men, ignorant of the language, are appointed to superintend the negotiation of supplies for the army? Did the Court of Directors conceive they had done sufficient, by declaring in their letter, signed by Joseph Dart, their secretary, that "the inhabitants of British India had the strongest claim to their protection! That they felt the deepest interest in the welfare and prosperity of that vast population, and would make every effort to protect and support it"? Great God! do they call it protecting them when they let loose a band of armed men, ignorant of their language, and therefore incapable of acting with equity? Is this their paternal care? I call upon the Proprietors to lend me their support in altering this bad system. I conjure you to induce the Court of Directors to reconsider their resolution, and impose such checks in the Indian army as will prevent the occurrence of the scenes I have described. Officers and soldiers in India, as well as every where else, are but men, and it is necessary to impose checks on them in order to control their passions. I contend, that in the present state of matters, the Government of India, instead of being a paternal one, is quite the reverse, for bodies of armed men, for the most part totally ignorant of the current language of the country, are let loose on the Natives. It is a reflection on the Company that this system should need to be complained of at this day. When occasion brings the Government before the public, it was painted

in very agreeable colours, and described as most estimable, but its rottenness must be evident when we look at the facts I have just stated. —Let us suppose that desertion takes place from our army, that thefts are committed, or that the troops behave in an oppressive manner to the Natives, how is justice to be administered? how is the oppression to be redressed?—I shall be told, by convoking a court-martial. This is true; but Native troops are taken from the ranks and brought to trial for very few crimes short of murder. Besides, the European officers wish to keep their men under their own immediate jurisdiction, and are very unwilling to bring them before a civil court. And again, the situation in which a European officer is often placed, necessarily precludes access to him from the Natives, who can only communicate with him by address or letter. Now, in this case, such a communication is useless, unless the officer understands the language. He may, to be sure, call in his interpreter, or some servant to translate it, but they might have an interest in misrepresenting the matter, and might give a false version of the document. We must not forget that the principal evidence in courts of justice and courts-martial is given by Natives, and at courts-martial, European officers universally preside. Now, in common sense, they who sit in judgment should at least understand the language of the witnesses on whose evidence they must find the acquittal or condemnation of the offenders. My hon. Friend, Dr. Gilchrist, will inform you that the difference in the pronunciation of a single letter in Hindoostanee, which letter might perhaps have four different sounds, will entirely pervert the real meaning of an expression. To understand the language properly, so nice is the pronunciation, a man must go through a regular course of education. The mischief which has befallen India may be traced to them. Let them not “lay the flattering unction to their souls” and say, “we did not occasion this evil,” for they alone have occasioned it. If there are any military officers in Court, they will be aware of the importance of a knowledge of the Hindoostanee on the line of march, in proceeding to action, and on the arrival of spies to communicate any intelligence respecting the movements of the enemy. Now, how can a young officer, not so qualified, how can he, I say, perform the duties which must fall to his share? Will he be able to provide guides, supplies, and all other necessary accommodations? I remember a part of the regiment to which I belonged, went out with some irregular horse in pursuit of some plunderers, and an individual, who had been scarcely six months with the regiment, was placed at the head of this detachment. He had but little knowledge of the language; but as the command must at all events be placed in the hands of a European officer, and as a fitter man could not at the emergency be procured, he was selected. A Native officer would, in circumstances of this nature, perform the duty better than a European without a knowledge of the current language. I shall take this opportunity of declaring, as it is a fact which will support my argument, that I have been informed by a gentleman of unquestionable veracity, that the present disastrous war with the Burmese was occasioned by a misunderstanding which arose from an ignorance of the Native language. Some differences having arisen with the Governor of Arracan respecting the small island of Shahporee, he sent a messenger to Mr. Warner, the Company’s civil resident in his district, to request an interview with him, in order that a mutual explanation might take place. Mr. Warner, however, did not understand the nature of the message, and not deigning to meet the Governor, referred him three several times to a darogha of police, an officer who received a salary of about 25 rupees a month. The result of this conduct was the declaration of hostilities, and the commencement of the lamentable war with the Burmese empire. (*Cries of Hear.*) The short and long of the matter is, that the most petty officer, within any of the districts, or who goes out with the zumeendars to gather in the revenues, cannot go through the business allotted to him with any degree of credit without a knowledge of the Hindoostanee. Every event connected with the present war, I have watched with a careful eye, and I foresee, that without a suitable establishment, either of camels, elephants, or bullocks, to transport the necessary supplies, our army will be unable to act efficiently. And even for procuring these animals, an

acquaintance with the language was indispensable. They are possessed by the Natives exclusively, and unless the officers who barter with them possess such an acquaintance, they *cannot* drive their bargains. I will relate another instance, which will place in a strong point of view the necessity of the course I advocate. I have been informed that an individual, ignorant of the Native language, had the command of a flanking party, and part of whose duty it was to protect the baggage. Now the route of the troops having been changed, a Native officer was despatched with orders for the baggage to proceed on a different road from that at first appointed. Now, as the officer who had it in charge did not understand the message, the consequence was, that a great portion of the baggage fell into the enemy's hands. There are, I know, European serjeants in the army, who, by continual intercourse and contact with the soldiery, have acquired considerable proficiency in the Hindoostanee; but should strict knowledge be confined to them? Should not the commissioned officers likewise partake of the advantage? The only objection I have heard or can think of to my plan is, that by compelling young men to remain two or three months in London, for the purpose of learning the language, their morals would be corrupted, and a great additional expense entailed on their friends. Then it will be argued that they could not obtain their appointment without an addition of expense, and that it would be unfair to render the expense greater. Is this, I ask, a fair way of putting the question? Is it so difficult to procure military servants? If indeed the Company could not get them to proceed to India on the terms dictated to them,—why, then, they must employ them on their own terms. But I will venture to say that so far from there being any appearance of this dearth, the Company might have 500 candidates for the situation of every cadet who goes out to India. Ought not the Company then to say to them, “We will give you the appointment on condition you are qualified for the performance of the duties connected with it? What have the Directors themselves done with respect to the civil College? Why, after having been *badgered* for six or seven years about it, they have at length come to the resolution of leaving it to the option of the young men intended for the civil service, of going to Haileybury College or not. Clever young men are to be left to pursue their studies wherever their friends pleased. This is the way to bring the efficiency of the College to the test. We shall, under this system, either have an empty College or a good one; (*loud cry of hear.*) and either way, the Company must benefit; for if empty, the expense would be saved, and if full, it would be hailed as the most complete establishment for Oriental instruction. (*Hear.*) In my idea, young men are ruined by being sent to that College. They acquire the most preposterous ideas and notions of loftiness, totally inconsistent with the duties they are to be called upon to perform. They are, besides, sent out at a very early age, and it cannot be expected they should have the knowledge and experience of riper years. These young men are appointed to preside in the four zillahs, and are placed on the bench to administer justice. What a piece of mockery is this! For such situations, talent, intelligence and experience, are requisite. Much has been said of the danger of keeping young men for a few months in London. This objection will, I believe, be found utterly futile. Will they not be exposed to temptation in India? Will any individual within the bar say that a young man going out to India with money in his pocket is not as likely to go astray there as here? You are doing an injustice to young men by not allowing them to remain a short time in London, under the eyes of their parents and friends, instead of sending them to Calcutta and letting them loose there—the most of them raw and inexperienced, without the slightest worldly knowledge, and destitute of a friend to advise them when they are acting wrong. I have before mentioned the number of cadets sent out from 1814 to 1820. That statement I collected from Parliamentary returns, and from papers which were laid on the table of this Court. A very small proportion of those 2574 who proceeded to India during that period, were educated at Addiscombe. The young men who are educated at this establishment, (and I must own in many respects well educated,) are, I regret to say, sent out too early. They enter at fourteen, and at sixteen they

are sent abroad, before they have acquired a proper stock of information, and established those principles and feelings on which they should regulate their conduct through life; for, let gentlemen say as they will, without a little worldly wisdom, every man is likely to be led astray. The cadets would lose their appointment if they did not proceed to their destination a few months after they reach the age of sixteen. Now this should not be the adopted system. No young man should be allowed to go out under the age of eighteen, when an opportunity will be afforded him for attaining that knowledge which is indispensable for the regulation of his conduct through life. Now suppose, on a computation, we say that out of the number of cadets sent to India between 1814 and 1820, 236 were educated at Haileybury, and of course received instruction in the Hindostanee language, still I will venture to assert, for I have reason to believe it, that scarcely one of them really understood the language. Instead of acting on the simple and intelligent system which my hon. Friend, Dr. Gilchrist, recommended in 1817 and 1820, another one has been adopted and patronized, one so complicated that it can scarcely be understood, and thus the establishments of Haileybury and Addiscombe are almost useless and next to lost. Now let the Court consider well the balance between those who proceeded to India without the least knowledge of the language, and those who are but superficially acquainted with it, and say whether it is not lamentable that so great a number of young men should be suffered to proceed to India utterly unfit for the performance of the important duties assigned to them. Of 434 cadets sent out in 1821, fifty-five received their education at Addiscombe; of 362 sent out in 1822, fifty-two were there educated; of 374 sent out in 1823, sixty were educated at that seminary; and of 420 sent out in 1824, seventy-nine were taken from Addiscombe. So that only 246 of the 1590 cadets sent to India during those years were educated at Addiscombe. Now, is it not shameful that, with this fact staring them in the face, the Court of Directors, as they have the power, do not apply a remedy to this monstrous defect? I do not ask them to do any thing extraordinary. In the motion I intend to submit, I have inserted a clause to remind them of their former resolution, and to induce them to act up to it.

I perfectly remember the Resolution of the Court of Directors of the 4th of November 1818, and I am happy to be able to quote their own performance. In the debate which took place respecting that Resolution, no persons could be more highly applauded than the Directors; and I am sorry that Mr. Patison, to whom the credit of the whole arrangement is due, is not now present. The Resolution of the Court of Directors of the 4th of November 1818, and which was subsequently approved by this Court, is as follows:—"Resolved, that this Court, being of opinion that it is desirable that all persons appointed to the Company's service in India, but more particularly those appointed to the medical service of the Company, should attain a knowledge of Hindostanee previous to their departure for India; and with a view of affording encouragement to Dr. J. B. Gilchrist (of whose merits and qualifications as a teacher of that language the Court entertains the highest opinion) to persevere in the establishment of lectures of the nature detailed by him in his letter of the 5th of August last, he be allowed 2000*l.* per annum for the term of three years; at the expiration of which period, an opinion may be formed how far the advantages stated by Dr. Gilchrist are likely to be realized. That all persons appointed to the Company's medical service be required to attend one course of the said lectures; for admission to which they shall not pay more than three guineas; and that previous to their order for embarkation being given, they shall produce a certificate from Dr. Gilchrist of their having attended." All I desire is, that the Court of Directors should be compelled to act consistently with their feelings and opinions recorded in this Resolution. Up to the year 1821, Haileybury College had cost the Company 217,000*l.*, including 92,000*l.* the expense of its erection. This, too, was independently of the money paid by civilians for their education. I do not complain of the expense, if the object be accomplished, for that is of ten-fold value. The Company is bound to protect the Natives, and the surest mode of attaining that



end, is by imparting a proper education to those who are destined to rule over them. Economy with such an object in view would be the worst extravagance; but if the civil servants of the Company are educated on so expensive a scale, surely we cannot avoid looking to the education of cadets. Since I last submitted a motion on this subject to the Court, I have ascertained from inquiries that the whole expense of the education of the Company's civil servants in England and in India amounted to 53,800*l.* a year. Now, I am willing to enter into a contract, by which I will bind myself for 500*l.* a year to impart a competent knowledge of the Hindoostanee language to every cadet annually sent abroad.—(*Laugh.*) I do not mean to say that I will teach them myself, but my honourable Friend, Dr. Gilchrist, will do so.—(*Laughter.*) Am I extravagant in my desires, when I only ask the Court to add 500*l.* to the 53,800*l.* per annum at present paid. Five hundred cadets might be educated for 500*l.* If hon. Proprietors wished to have the thing done cheap, this was cheap enough in all conscience. Since Dr. Gilchrist established his lectures in London under the Company's sanction, he had imparted a knowledge of the Hindoostanee language to 1500 individuals, at an expense not exceeding 350*l.* a year—that was 200*l.* for the exercise of his talents, and 150*l.* for the building in which he instructed them. After this, will it be believed that the Court of Directors have stopped the small pittance which they once gave to Dr. Gilchrist? If the Doctor had charged 1500*l.* a year for his exertions, the Directors would doubtless have allowed that salary to continue; it would have been a good thing to present to some one. I am of opinion that Dr. Gilchrist sold his exertions too cheaply, and I have often remonstrated with him on this subject, because I wish to see every man paid fairly for his labour. When this is not the case, an individual generally makes a subsequent claim, or else expects to gain some point at a future period, which induces him for the present to underrate his labour. On the 29th of August 1821, the Court of Directors, by a Resolution, continued their salary of 200*l.* per annum to Dr. Gilchrist for three years longer, and gave him a further sum of 150*l.* to provide a suitable lecture-room. These grants, however, have now discontinued. On the 7th of March 1823, the Court of Directors passed a Resolution, by which they declared, that if cadets in India should fail to make a certain progress in the knowledge of the Hindoostanee language, they should be sent back to England. The Directors and myself are agreed as to the necessity of the language being acquired; and the only difference between us is, that I would not allow them to proceed to India before they have attained some proficiency in the language. Why undertake the expense of sending a cadet out to India at the risk of his being sent back in consequence of his discovered inefficiency? Why not act upon the Resolution of the Court of 1821, which encouraged the acquisition of the language before the cadet left this country? This is a proposition to which I think no reasonable man can fairly object. I have shown the necessity of adopting the plan which I propose, by adverting to the fact that the Government of India had, on account of the lamentable ignorance of European officers there, been obliged to appoint an interpreter to every regiment. Is it not monstrous that officers should be obliged to communicate with the Native regiments which they were appointed to command through the medium of an interpreter? The effect of such a proceeding was to prevent any attempt even on the part of the officers to acquire the Native languages. Such, however, is the system adopted in India; and the question is, whether it should not be got rid of immediately? It is quite impossible that a soldier, much less a staff officer in India, can perform his duty efficiently without a knowledge of the Hindoostanee language. I fear that I have trespassed too long on the time of the Court; but if I have made my views intelligible to the Court, I shall rejoice that I have not laboured in vain. I consider not the expense—I wish that our servants in India should be in a situation to perform their duties properly. I blame not the young men who proceed to India in such a state of ignorance; I blame only their friends and parents who force them out in such a state as prevents them from doing credit to themselves, or of executing the duties which they owe to the Company. I have shown that a third of the

European officers in India held staff situations of some sort or other, and must, therefore, be in daily communication with the Natives. If, therefore, they are unable to maintain that communication, it is clear that they are unfit for their situations. I have traced the duties that were to be executed on a line of march, and in the presence of the enemy, and I think I have proved that those duties could not be performed unless the individuals appointed to fulfil them possessed a knowledge of the Native tongue. I have directed the attention of the Court to Haileybury College, and shown that the Company incur an expense of nearly 250,000*l.*, exclusively of the expenditure in India, for one branch of the service. Why, then, should they withhold their fostering aid from another branch? All that I wish to be done can be effected for 530*l.* per annum; indeed, it might be done without any expense at all; for if the Court were to pass a Resolution declaring that no cadet would be suffered to proceed to India without a competent knowledge of the Native language, it must be attended to. I have shown, by the Resolutions of the Court of Directors, that they have, on several occasions, recognized the necessity of cadets being acquainted with the Hindoostanee language. The only point in difference between me and the Directors relates to the time at which this knowledge shall be acquired. Instead of having the cadets qualified in India, I am unwilling to allow them to proceed to that country till they have qualified themselves in this. If any individual thinks my proposition unreasonable, I can only say that I do not consider him a very reasonable man.—(*Hear, and a laugh.*) I have no personal interest in the question. I merely desire to see the country, in which I have spent many happy years, governed in the best manner by the ablest persons. While that vast empire continues under the British yoke, it should be allowed all the advantages which can be derived from liberal British education. I consider the subject one of very great importance, and I hope there will be no opposition to the motion which I am about to submit to the Court, and which merely calls upon the Directors to take the subject into their consideration. The motion is as follows:—“Resolved, that this Court, considering the great importance of a knowledge of the Hindoostanee language to European officers destined to act with and to command the Native troops in India, recommend to the Court of Directors, consistently with their Resolution of the 4th of November 1818, to take into their immediate consideration the propriety of making regulations that no cadet shall henceforth be permitted to proceed to India, unless he shall, upon examination, be found sufficiently grounded in the rudiments of the Hindoostanee language.” I will now sit down, despairing, if the Court refuse their assent to this Resolution, of ever being able to submit a motion which would meet with their sanction.—(*Hear.*)

Dr. GILCHRIST.—I will be very brief in seconding the motion of my hon. Friend, because I mean to reserve myself for the purpose of answering every objection which may be made to this very reasonable proposition. I beg leave, however, to make a single remark in reference to what my hon. Friend had said as to the nicety of pronunciation which was required in speaking the Hindoostanee language. I know that there are behind the bar some persons who are more profound Oriental scholars than myself, though the language I have studied be the most popular and useful. My hon. Friend stated, that a difference in the sound of a single letter would alter the meaning of a whole sentence. To exemplify this, I may instance the word *ghaut*, which if pronounced in one way meant an ambuscade, and if in another a defile. If an officer did not understand the nicety of pronunciation, he might suppose, when a Native apprised him of a *ghaut*, that he was told of a defile, of which he had no reason to be afraid, instead of an ambuscade. In such a case the officer would proceed, and thus give the enemy an opportunity of pouncing on him and cutting his men to pieces.—(*Hear.*) I will say no more at present, but reserve myself to answer any objections which may be urged against the motion.

Mr. S. DIXON.—The hon. Proprietor in consequence, I suppose, of not being aware of the manner in which business is conducted in this Court, says that he will reserve himself to answer objections to the motion. I beg leave to

inform him, that by the rule of this Court he cannot reserve himself in the way he proposes.

The CHAIRMAN.—I was myself about to state that the hon. Proprietor cannot, as a matter of right, take the course which he proposes to pursue, although the courtesy of the Court may permit him to do so.

Dr. GILCHRIST.—The Court is always so courteous to me, that I will throw myself on its courtesy on the present occasion; though I think I have a right to reserve myself.

The CHAIRMAN.—The hon. Proprietor had better trust to the courtesy of the Court.

Sir J. SEWELL.—I agree with the hon. Mover in his principal proposition. I acknowledge the great importance of the subject, and the advantages which must result from a knowledge of the Native language. There could be no doubt that persons who understood that language were more competent to despatch business than those who did not. The only question is, which is the best and fittest course for the Company to pursue, in order to secure the necessary instruction? The hon. Mover thinks that the knowledge of the Native language should be acquired here, but I am of opinion that it will be more easily and more perfectly attained in the country where it is spoken. The hon. Proprietor has stated many instances, in which he said ill consequences had resulted from the want of a knowledge of the Native language on the part of European officers. From these statements, and the observations which the hon. Mover had made upon them, gentlemen might be led to imagine that it was vain to expect any military successes in India. It was not more than ninety years ago since we had no authority in India beyond the limits of a factory. Since the event at Calcutta, which was known by the name of the black-hole business, we have extended our dominion in the East in a most extraordinary manner. Who were the men who have been fighting our battles in India from that period? No person, I think, will venture to say that there were not some who were perfectly well qualified to perform their duty to this country, although in my opinion they were not so well versed in the Native languages as the officers of the present day. The hon. Mover seems to think that a knowledge of the Native languages was more generally diffused formerly. On this point I differ from him; I think that European officers are better acquainted with those languages at the present period, than they were thirty or forty years ago. The hon. Mover has alluded to the case of a detachment which was attacked by the enemy in passing through an opening. He stated that the Native troops were aware of their danger, but that there was such a lack of knowledge on the part of the European officers, that the Natives were unable to make the commanding officer understand that the enemy was lying in wait for him. This statement in my opinion overturns itself. It is impossible that the black part of the army should have been aware of the danger, and yet unable to make the commanding officer comprehend it. I take this view of the case; and I believe it will be borne out by many examples in military history, that the commanding officer was made to understand that the enemy was waiting for him in the opening, but that he either disbelieved the information or despised his opponent. An instance of this kind, I recollect, occurred during the peninsular war. The hon. Mover alluded to the case of a person named Mr. Lee Warner, whom he seemed to consider as the cause of the present unfortunate war. He, however, has brought forward no evidence that the misfortune arose out of Mr. Warner's ignorance of the Native language. Beside, it should be remembered that Mr. Warner was not a military man; he acted in a civil capacity only. The case, however, upon the hon. Mover's own statement, had nothing to do with the question of a knowledge of the Native language. It was merely a question of etiquette. What were the facts?—a Native governor sought an audience of Mr. Warner, which that gentleman thought it would not be quite correct to grant, and he therefore turned him over to an inferior officer. The governor took offence at this, and eventually resorted to arms. This was evidently merely a question of etiquette, in which perhaps both the European and the Indian had been somewhat too punctilious. The third case which

the hon. Mover brought forward, related to a number of bullocks which fell into the hands of the enemy, from the officer that commanded the party being quite ignorant of the language of the Natives acting under him, and who would have informed him of the proper route.

I have resided in countries where I could not understand the language spoken, but I discovered that there is a language besides the vernacular, which is universally understood. It would have been quite easy for the messenger to make the officer understand, by his gestures, that the bullocks were no longer to continue in the route in which they were proceeding. It should be recollected, too, that the commanding officer must have been very ill provided indeed if he was without a pencil; and it is naturally to be supposed, that when he selected a Native to bear his orders, he would adopt the precaution of putting them down in writing. If blame attach to any one, supposing the hon. Mover to have stated the transaction correctly, it is to the commanding officer for not having written down his orders. But suppose that the messenger came up with the bullock party, the officer must have known, from his appearance, that he was a person likely to be intrusted with orders. If the messenger perceived that the officer did not understand his language, he could, by motions of his head and body—by rushing towards the bullocks, have rendered his object intelligible. (*Laugh.*) It was, after all, very improbable, that even in a bullock party there should not be one person who knew sufficient of the Native language to understand the messenger. The hon. Mover says, that those who differ from him must be very unreasonable; but that shall not deter me from stating my objections to his motion. (*Hear.*) The hon. Mover's proposition is, that every cadet should learn the Hindoostanee language previously to going out to join the army in India. The hon. Mover stated, also, that there were thirty establishments in this country in which that language was taught. It seems that those establishments are not upon a very extensive scale, for the hon. Mover told us, in the same breath, that Dr. Gilchrist's was equal to them all put together. I do not know how many persons are educated at Dr. Gilchrist's establishment; those who are acquainted with that fact will be able to estimate the relative importance of the others. In considering this question, it is necessary to look at the class of persons from which cadets are usually selected—they are the sons of clergymen with moderate livings, and of gentlemen labouring under the burthen of numerous families. The Directors exercised a sound discretion. The Court must be aware that a young man could not proceed to India without some expense; at the lowest estimate his charge for out-fit could not be less than 100*l.*, and, if his friends could afford it, might amount to 200*l.* or 250*l.* The expense of sending a young man to London, for three months, to study the Eastern languages, could not be less than 100*l.*, which, added to the other sum, would be more than the parents of the cadets could afford to pay. Some of the young men might not possess such quick talents as distinguish the hon. Mover, and in that case it might be necessary that they should continue their studies for six months instead of three, which would create additional expense. It remains to be considered, whether the interests of the Company were likely to be promoted by the proposed arrangement. No money was ever given for a cadet-ship; it could not be made the subject of sale and purchase. Every thing, however, had a reputed value, and the value of a cadetship was in proportion to the advantage which it conferred on the individual who received it—the value of a cadetship is estimated at 100*l.* It is clear, therefore, that if 100*l.* be added to the present charge for out-fitting, the value of the appointment will be reduced to nothing; the result of this would be, that there would soon be no candidates for cadetships. Another objection which I have to the hon. Proprietor's proposition is, that it will cause young men to be exposed to the temptations and vices of the metropolis. I do not understand what the hon. Proprietor's notions of morality can be, when he proposes to bring young men to London and to introduce them to houses of a certain description, in order to prepare them for the more voluptuous vices of India. (*No, from Mr. Hume.*) I appeal to the Court, whether the hon. Proprietor did not

say something to that effect? He certainly contended that it would be useful to bring young men to London to prepare them for the vices of India. The hon. Mover has over and over again declared it to be impossible to learn the Native language in India, and that it is indispensable, to the perfect acquirement of it, that some knowledge of it should be obtained in this country. This proposition is opposed to all experience, which proves, that a language may be acquired with greater facility, and in greater perfection, in the country where it is spoken. It may as well be said, because persons desirous of learning to swim have been recommended to practise on a table previously to going into the water, that nobody could learn who should go into the water at once, as that no person could learn a language so well in the country where it was spoken as he could out of it. My own experience is at variance with the hon. Mover's proposition. I am not aware that I am duller than other people, but I know that I spent ten years at school and ten at college, principally in studying one language, and when I left college I was unable to hold a conversation in it; I did not, indeed, know any person in Oxford, however learned, who could hold a conversation in Latin. When I went to France I knew very little of the language, and was actually obliged to dine at Rouen on a fowl because I could ask for nothing else; and yet, after I had been four months in the country, I could maintain a conversation in French. Some parts of the hon. Mover's speech did not at all bear upon the question, and to them I need not more particularly refer; there were other parts which I will leave to the consideration of persons better competent to dispose of them than myself; I will not, therefore, longer occupy the attention of the Court.

Colonel LUSHINGTON.—There can be only one opinion as to the great importance of the Company's military officers possessing such a knowledge of the Hindoostanee language, as would enable them to perform the duties of their station with credit to themselves, and with advantage to their employers. All, I believe, will agree upon this point; but the measures to be adopted for imparting the necessary instructions are a different question, and I cannot persuade myself that the benefit to be derived from the adoption of the hon. Proprietor's motion will counterbalance the disadvantage and inconvenience that will result from it. The objections which can be urged against the establishment of a permanent institution in the metropolis for the instruction of cadets are so weighty, that I imagine nothing short of an absolute necessity being proved, would induce this Court to consent to such a measure. I will endeavour to show that no such necessity exists, and that a knowledge of the Native language by a cadet previously to his leaving England, is not of such paramount importance, as to be the *sine qua non* of his appointment. I will not detain the Court by entering into a lengthened detail of the objections to the motion, but will content myself with stating a few that appear to me most striking. The danger to which the morals and health of young persons, just leaving the roofs of their parents, must be exposed by the residence of a few months in London; the difficulty of drawing a precise line as to what shall be considered a sufficient examination; and the impossibility of ascertaining how long it might be before all cadets would be qualified to receive their appointments, depending as it must on their different dispositions, talents, and industry: these are all serious objections to the hon. Mover's scheme. Besides, the proposed regulation would operate as a bar to the advancement of those young men who have not the means of attending the seminaries where the Native languages are taught. I do not mean to contend that no advantage would result from a cadet who was proceeding to India being grounded in a knowledge of Hindoostanee, so as to enable him to study during the voyage out; but if there are, as is stated, so many seminaries at which that language is taught, the parents and guardians of cadets will gladly avail themselves of the opportunity they afford for the acquisition of that useful knowledge. It should, however, be recollected that the Hindoostanee language is employed almost exclusively for colloquial purposes; and, therefore, a person who is desirous of learning it, is likely to effect his object no where so effectually as in the country where he is in the habit of hearing it spoken

daily, and where a very short residence will convince him that the success of his future career in the service will chiefly depend upon his knowledge of that language. I will now proceed to state a few facts which, from my situation as commander of a regiment in India for several years, will, I trust, be considered worthy of some degree of attention; and, though it may appear presumptuous in me, I feel a confident expectation that I shall be able to satisfy those who are at present favourable to the motion, that there is no necessity for its adoption. From the general tenor of the hon. Mover's arguments, gentlemen would be led to imagine that a remarkable want of knowledge of the Native languages existed amongst the officers of the Indian army, and that this circumstance was altogether overlooked by the authorities in India. So far from this being the case, I can state, from my own knowledge, that the Government in India manifests the greatest anxiety for the cultivation of the Native languages by the military servants of the Company. I can support this statement by facts which, being on record, cannot be doubted; and from which it will appear, that the Government of India has not been satisfied with expressing its desire on this subject, but has seconded its wishes by such regulations as were considered best calculated to promote the object in view. For several years past, the Commander-in-Chief has required to be furnished with a half yearly report from every officer commanding a regiment, of the proficiency of each officer under his command in the Hindoostanee and other Native languages. These reports are not mere matters of form. They are drawn up with great care, generally from previous examination, and great attention is paid to them at head-quarters. In proof of this, I will mention a circumstance connected with this subject, in which I was personally concerned. In one of these reports, I felt it my duty to bring under the notice of the Commander-in-Chief a young officer who, notwithstanding my repeated recommendations, paid little or no attention to the study of the Native languages. A despatch was immediately sent from head-quarters, stating, that if, in my next report, I was not able to give a more favourable account of the officer in question, his Excellency would consider whether it was expedient to intrust him with the command of a troop. It is almost unnecessary to add, that this intimation was attended with the best possible effect. The Indian Government likewise have issued a regulation, that no officer shall be appointed to the responsible situations of adjutant, paymaster, and interpreter, without having proved, upon examination, that he was qualified for them by possessing a competent knowledge of the Native languages. And here I will take upon myself to state, that not the slightest apprehension need be entertained of any accused person suffering from the ignorance of interpreters. I know of no better security against any attempt to mislead on the part of the interpreter, than the fact of that officer's being sworn, which is always the case. The hon. Mover appears to have misunderstood the nature of an interpreter's duty. It is no part of his duty to be at the beck and call of every young officer, who may sometimes feel himself at a loss to understand what is said in the Native language, or to express himself in it. The principal duty of an interpreter is, to attend at all Native courts-martial that may be assembled in the regiment to which he belongs, to take care that nothing is put down as evidence but what is strictly correct, and to prevent any bias either for or against the prisoner by the members of a court-martial. No Native court-martial is legal without an interpreter; and I consider the appointment of that officer likely to assist the due administration of justice. There is a point connected with this subject to which I will take the liberty to allude, in the hope that it will meet with the attention of the executive body. I desire the renewal of a regulation, which I regret was ever discontinued: I mean the regulation by which a pecuniary reward was bestowed on such officers as passed a successful examination of their proficiency in the Native languages. I am confident that the renewal of the regulation would be attended with the most beneficial effect. By exciting a spirit of emulation, it would induce the officers to pursue their studies with more vigour and perseverance than at present; and the benefit which would be derived from the measure, would more than compensate for the

expense attending it. It is satisfactory to perceive, that the Bombay Government seems to have recognized the propriety of such a measure; for by an order of the Governor-General in Council, in April last, the pay of a moonshee for six months is granted to every officer who shall pass an examination in the Hindoostanee or Mahratta languages. This reward amounts to only about 180 rupees, and is merely a reimbursement of the money expended in paying a moonshee. I do not know what were the motives which led to the abolition of the former reward; but at the time it was discontinued, the Madras Government considered it worthy of a further reference to the authorities in this country. An anecdote, which I have heard from a quarter entitled to credit, will serve to show what was the feeling of the Madras Government on this subject. The late Military Auditor-General at Madras, represented to the Governor, (Sir George Barlow,) that the claims of officers to premiums, for having passed examination as to their knowledge of the Native languages, were very large: no less than twenty, he said, had come in within a short time. Sir George Barlow replied. "I wish that, instead of twenty, there were two hundred." When I consider that the munificent reward of 3500 rupees is bestowed upon such of the Company's civil servants as distinguish themselves by their skill in the Native languages, I hope that a similar spirit of liberality will be exhibited towards the other branch of the service. I wish, however, not to be misunderstood. I have no desire to draw an invidious comparison between the two branches of the service. I admit that, in the army, the applications would be too numerous to permit a very high reward to be given; but I think that if 1000 rupees were given to such officers as might pass a successful examination in the Native languages, it would be the means of ensuring a considerable number of very superior scholars. (*Hear.*) I cannot sit down without doing justice to the officers of the Indian army. Notwithstanding the state of ignorance in which the hon. Mover represents them to be, I venture to declare, that there never was a period when a knowledge of the Native languages was more generally diffused, particularly among the junior branches of the army; and I must further declare, that I consider this to be the result of the repeated orders of the Court of Directors, and of the regulations adopted by the Government of India in consequence of those orders. I will not longer trespass on the attention of the Court. I trust I have shown that there is no necessity for the motion; and I am myself decidedly opposed to shackling the appointment of cadets with the stipulations recommended by the hon. Mover, which I conceive to be totally unnecessary. (*Hear.*)

Colonel STANHOPE.—I think that the learned Doctor (Dr. Gilchrist) has not much reason to regret his want of privilege of replying to the arguments of those who oppose the motion. The gallant Officer who last addressed the Court, has, whilst intending to speak against the motion, made some very sensible observations in its favour. As to what has fallen from another hon. and learned Proprietor, I must acknowledge I was surprised to hear from an individual who I understand has filled the office of judge, such idle, superficial, and attorney-like arguments, in favour of ignorance. I do not think it will be necessary to detain the Court, by endeavouring to show the fallacy of the hon. and learned Gentleman's argument. It must be admitted that it was necessary to hold communication with men either by language (spoken or written) or by signs. Now, unless the Directors are determined that India shall be governed by the sort of pantomime recommended by the hon. and learned Proprietor, it is indispensably necessary that the Company's officers should have a knowledge of the Native languages. (*Hear, hear.*) The question then is, at what period of life ought that knowledge to be acquired? Locke, Rousseau, and all other philosophers who have treated of the subject of education, recommend that studies should be pursued in youth,—that the impression should be made whilst the wax is soft. The arguments of the hon. Mover have been misrepresented. He never contended that cadets should be perfectly acquainted with the Native languages previously to their departure from this country, but that they ought to be acquainted with the rudiments of them. (*Hear.*) I have been in many parts of the world, and

must confess, that I have had occasion to regret that I had not acquired some knowledge of the language of the countries I was in previously to visiting them. The hon. and learned Proprietor has furnished the Court with an example of the inconvenience to which a traveller is liable, from his want of knowledge of a foreign language, when he told us that he ran the risk of not getting any thing to eat in France, because he was only able to ask for a *poulet*. (*A laugh.*) The next question was, how was the knowledge of the Oriental languages to be conveyed to the minds of the young men? Who was the person most fit to be employed as their instructor, from his moral qualifications, his intellectual aptitude, and his intimate acquaintance with that particular branch of learning? If I am asked where this person is to be found, I will point to my hon. Friend, the learned Doctor, (Gilchrist,) who has grown white-headed in the Company's service, and who, whether by his lectures or his elementary books, has been the means of instructing almost every officer in the Company's service who has any knowledge of the Native languages. I call upon the Directors as honest men, having the welfare of India at heart, to adopt measures for diffusing a knowledge of the Native languages among their servants, and to place the learned Doctor at the head of that kind of instruction. I am sure that the young men will not be such bad scholars as the hon. and learned Proprietor, who studied Greek and Latin for so many long years, and knew little or nothing about them after all. (*Laughter.*)

Sir J. SEWELL explained, that he had not said that he knew nothing about Latin, but only that he could not converse in that tongue.

Mr. R. JACKSON.—I am happy to perceive that the conviction of the necessity of a knowledge of the Native language to officers serving in India seems to prevail very generally in this Court. It was, therefore, with no small surprise that I heard the hon. and learned Proprietor put two or three cases to show that such knowledge was of no importance whatever. The learned Gentleman argued that nothing more was necessary to conduct a whole baggage train, extending, perhaps, two or three miles, than that a man should make certain signs with his hands. The learned Proprietor applied the same convincing argument to the unfortunate affair alluded to by the hon. Mover, in which some of our troops were cut to pieces. I regret that the learned Proprietor made any allusion to what he supposed to be the market-price of a cadetship, because it may give rise to ideas which have no foundation whatever. Nothing can be more upright and honourable than the conduct of the Directors with respect to the distribution of patronage for the last fifteen years. They have acted in a way which defies even the imputation of corrupt motives. (*Hear.*) My hon. Friend who has brought this question forward ought to feel much obliged to the gallant Officer (Colonel Lushington); for if ever any person succeeded in establishing the affirmative of a proposition, he has done so with respect to the motion before the Court. The gallant Officer stated that the local authorities in India were most anxious to diffuse a knowledge of the Native languages amongst the officers, and quoted the words of the Company's enlightened servant (Sir G. Barlow) to the same effect. All that my hon. Friend desires, is to second the views of Government on this subject. That the officers were not generally acquainted with the Native languages, is proved by the fact, that it has been found necessary to establish interpreters. If every officer possessed a knowledge of those languages, there would be no need of interpreters. They have evidently been appointed as a medium of communication between the officers and the Natives, from the want of which the most calamitous results have been known to proceed. The gallant Officer says that the interpreters are appointed to assist the due administration of justice, by preventing the operation of unfair bias on the part of the Natives. How much better might this object be attained, if every officer was able to understand what was said in the Native language. But does the gallant Officer mean to say that every court-martial is attended by an interpreter? Are there not some subordinate courts-martial which have not the assistance of an interpreter? The learned judge had said that signals of the hands were sufficiently understood; but he did not consider that such sig-



nals could not be seen in the night-time. The important question is, what was the best way to promote a knowledge of the Native languages among military officers? I do not think that the danger apprehended for the morals of the young men, from a short residence here in the metropolis, at all equal to the danger of the interest of the Company, while officers, who were ignorant of the Native languages, had to perform their duties. Some hon. Proprietors seem to think that the object of the hon. Mover is merely to place Dr. Gilchrist at the head of an establishment for instructing young men. This is not the case. But I do think, that from the ability and learning of that hon. Proprietor, should it be found expedient to submit young men to a test before sent out, that seminaries in and about London should take advantage of his great talents. Young men, when they went out to India, if they had not acquired the language beforehand, must pay a Native tutor from the scanty pittance allowed them by the Company. Prospective rewards had been held out to such as made any considerable proficiency in the Native languages, but they had since been withdrawn. At present it was impossible for the cadets to profit by tutors, for they joined their regiments within two or three weeks after their arrival. Nothing, therefore, can remedy the evil but the erection of an establishment from the funds of the Company, and that the cadets should be instructed there before they joined the army. The object of the hon. Mover is, that the cadets should be instructed properly before they took their places in the regiments. I shall now mention the only evil that remains, and which might be easily removed, if the hon. Mover will consent to leave the matter entirely to the Court of Directors, with a request from the Court of Proprietors to have their opinion upon it. Such a proceeding would give the Proprietors an opportunity of coming to any future resolution, and every Proprietor would know what he was about, and would contribute as much as he could to carry into effect that measure which would operate beneficially for India. I think the object in view would be best attained by such a motion as this:—"That the Court of Directors be requested to take into consideration the expediency of requiring from the cadets the attainment of a certain proficiency either here or in India, before they be permitted to join their respective regiments, and that it be desired to report its opinion thereon to the Court of Proprietors." Though I think that such an amendment would be better, I do not wish to press it unless it is the wish of the Court. I make this declaration as due to the ability with which the question has been brought forward. I have suggested what I think will further the object in view, and for the success of which I am so anxious, that I would rather withdraw my own proposition than disturb the plans and views of others.

Colonel LUSHINGTON rose to explain that in which he conceived he had been misunderstood. If young men were to be prevented from joining their regiments until they acquired a knowledge of Hindoostanee, their emoluments were so trifling that they would actually be deprived of the means of existence. Indeed I cannot see the utility of keeping them from their military duties, for in every regiment there are Native sepoys, well acquainted with the English language; and I knew an instance, in my own regiment, where a Native had five young officers under his tuition. I had been asked by the hon. and learned Proprietor, if I meant to say that an interpreter was present at every court-martial? I reply that I do mean to say so; for his signature was required by law to legalize its proceedings. In every regimental court-martial, there must be five officers and one interpreter present. The hon. and learned Proprietor has asked me, what was done when an offence was committed in a detachment of a regiment? If there were not five officers and one interpreter in the detachment, the offence remained unpunished till the regiment was joined.

Mr. R. JACKSON.—I do not wish to offer any proposition to the notice of the Court, unless the whole question is taken into consideration. I only desire that the cadets should acquire a certain proficiency in the Hindoostanee language; if at their regiments, so much the better. The Directors would say so in their report, and his object would be answered.

Mr. S. DIXON.—The hon. Mover, I think, has used too severe language in bringing forward his motion. I never heard such an attack upon the Directors in my life. The present question might be brought into a very narrow compass. Every one allowed the benefit of our officers learning the Native language, but differed as to the mode. Now I am rather inclined to take the opinion of practical men than of speculative men. The hon. and learned Gentleman, no doubt, is a very good lawyer, but having never been in India he must know less of that country than the gallant Colonel who has just sat down. He had said the motion was uncalled for, and I do not suppose that I can add weight to that assertion. The resolution peremptorily required that no gentleman should be permitted to go out to India without having previously undergone an examination.—(*No, no.*) I say they must produce a test of their knowledge, and how can that be done but by their undergoing an examination. The hon. Mover has said, that instruction might be got very cheap, and, from what has fallen from him, I should not be surprised to hear that Dr. Gilchrist was ready to contract to teach 500 persons for a guinea a head. But that is not all the expense attached to learning Hindoostanee. The young men must reside near the Doctor's habitation, and in London, where their morals were likely to be corrupted. The hon. Mover had set out by saying there could not be a doubt as to the expediency of the object of his measure, but this he has entirely failed to prove. A learned Doctor had ranged himself on his side, but on the other side there was another Doctor who had totally opposite views with regard to this question; and reluctant as I am to decide when Doctors disagree, still I must say that, to my opinion, the gallant Colonel had the best side of the argument. It is notorious that though a person may learn a language grammatically, yet, when he went to the country where it was spoken, he found himself at a loss to express his ideas. Latin is not spoken in Italy, and I am afraid there is as much difference between the language the learned Doctor teaches and that of Hindoostan. Let the Court judge from analogy; for if a child be taught French at an academy, and another learns by mixing in good French society, the latter will acquit himself best in the same time. Besides, instruction could be got much cheaper in India than here; and this is a most material point, as it is the sons of clergymen and decayed gentlemen who generally go out to India as cadets, and these would be effectually precluded from visiting India, if this motion should be carried, as they could not afford to qualify themselves for their situation. Besides, looking at the success of the army as it has been constituted for years past, I do not think that the knowledge of the Native languages is of such importance to the inferior officers. I dare say that the hon. Member for Aberdeen did not know the language when he first arrived in India.

(Mr. HUME said, that he would have found benefit from it if he had.)

M. S. DIXON.—I will not deny what the hon. Mover has said, but he might have been a much greater man than he was if he had understood it.

Mr. DARBY.—I am glad that I speak to those who understand the subject completely, and are not to be led away by the sophistry of words. I do not know whether it was the intention of the hon. Mover to vilify the Court of Directors, but if it had been, he could not have more effectually accomplished that object. The Court has been told that the Directors have been remiss in their duty, but the gallant Colonel has disproved that, and every assertion made by the hon. Member for Aberdeen. The account that has been given by the gallant Colonel respecting his own regiment, and of the wish of young men appointed as officers to study the Native language, is sufficient to convince Proprietors of the inutility of the present measure. The motion has been brought forward with a very erroneous view of the case, and it appears to me only for the purpose of finding fault with the Court of Directors. I think, however, that the Court may safely trust to the Directors, and reject the present proposal, which is, in my opinion, a slur cast on every officer in the Indian army.

Captain MAXFIELD.—I understand the gallant Officer on the other side of the Court to say that no court-martial could be held unless an interpreter was

present. How is it, then, that to the Sebundy corps, to whose jurisdiction at least 25,000 or more Natives are subject, that no interpreter was ever present?

(Colonel LUSHINGTON did not speak of the civil, but of the military service of the Company.)

Captain MAXFIELD continued—It might be so, but unless the interpreters employed by the military courts are much better qualified than those of the civil courts, they were of no kind of use. I knew a Persian interpreter who, in fact, was entirely ignorant of the language. I have no doubt as to the statement of the gallant Colonel being perfectly correct with respect to the officers of his own regiment, but instances are not wanting where men are intrusted with very high situations, who know not a word of the language; for example, their late military Surveyor-General. Such rewards to ignorance must be an encouragement to indolence and neglect; and unless to correct the pernicious effects of such examples, some stimulus be given to the acquirement of Hindoostanee, it will continue to be too much neglected. As a proof of this, I may mention one of the ludicrous blunders which often disgrace the bench. In a crowded court, on one occasion, a man screamed out, and the magistrate inquiring the cause of it, was told, "*Koota katu hae.*" (It is a dog which is biting the people.) "Bring him to me, said the magistrate," and I will teach him not to disturb a court of justice in future." The court was convulsed with laughter, for it appeared the magistrate had mistaken the dog for a man. (*Much laughter.*) This shows that the ignorance of the Native languages is not confined to one branch of the public service, but was extended to them all, and even served to bring the administration of justice into contempt. I may add, that it detracts from the respectability of the European character; and I therefore think cadets should learn the language before they left England, for in India they would be neglected under the plea of public emergency.

Sir CHARLES FORBES.—I rise to support the motion. The instructions that have been given to young men before proceeding to India, by Dr. Gilchrist, had been found so very beneficial, that the progress when in India was extraordinary. I hope, though the present motion may fail, my hon. Friend will not let the subject drop, but follow it up by another motion, restricting barristers and attorneys from proceeding to India, unless previously qualified by a knowledge of Hindoostanee. For how can it be supposed that justice can be administered by magistrates unacquainted with the language of the people? I knew an instance myself where a man was sentenced to death, on account of the misrepresentation of his words by the interpreter. A private individual noticed it, who was called out of the court afterwards upon some business, and in the mean time the man was found guilty. The gentleman, upon hearing this, wrote a letter to the judge, informing him of what he conceived to be the true meaning of the words, when the sentence was suspended, and ultimately the man was pardoned. I have read his letter of thanks, written by the judge, Sir John Newbolt, and that showed that some measures ought to be taken to prevent the recurrence of similar mistakes in future. One word with respect to the communication by signs. The first sign that young gentlemen applied to the unfortunate Natives, if they were misunderstood, was a slap in the face, or a cane across the shoulders. God preserve the natives of India from such signs! I will put a case, which gentlemen who have been in India will acknowledge not to be an uncommon one: If a young officer is invited out, and happens to be too late for his appointment, he first tells his palanquin bearers to go quicker. This they refuse to do, and it is not surprising, when bearing a load under the broiling sun of India. He then begins to swear at them in English, and they not understanding him, stop; he would then jump out and beat them. The consequence is, the bearers take themselves off and leave him to shift for himself. This I have frequently known to have been the case. I am glad, however, that owing to the courts of law and the regulations of police, private floggings were going out of fashion. When I was in India, the rattan was applied as often as the whim or caprice of the master dictated; or if a man was thought likely to complain of such tyrannic conduct, he was sent off to the superintendent of the police, who flogged him for some imaginary offence. Such I know to have

been the case often. I will not give any opinion with respect to the mode of carrying the object under consideration into effect, but I think that the Company is greatly indebted to the disinterested conduct of Dr. Gilchrist, in instructing young men before they are sent to India.

Sir JOHN SEWELL.—I never said that it would be advisable to carry on communication by signs, and on that point I have been grossly misrepresented. I only said, that upon the occasion which had fallen out so unfortunately, a communication by signs might have prevented the accident.

Mr. RIGBY.—It will be much to my regret if the present motion is carried in the affirmative, for if it goes abroad that this question has been settled without consulting the authorities in India, it would create great misapprehension. It would create an opinion that the importance of the Hindoostance language being studied, in which every one else concurred, had been overlooked by the Court of Directors. But it is my opinion that the subject has been maturely weighed by them, and that they are ready to give every encouragement to the study. As a proof of this, a young relation of mine, who went out as interpreter, and who understood the language perfectly, had had his salary increased. Under these circumstances, it would be much better if the modification of the motion, suggested by an hon. and learned Proprietor (Mr. R. Jackson) were acceded to, and that the matter should be left in the hands of the Directors, and to make the propriety of cadets giving a test, either here or in India, of their knowledge of the Hindoostance language, a subject of after consideration.

Mr. LAURIE said—On such an important question as the present, I hope the Company's servants in India will bestow all the information they might have acquired there, and place their practical knowledge against the speculative views of wrangling lawyers, who now occupy so much of the time of the Court. I am sorry to say that, of late years, this Court has put me more in mind of one of the Courts of Westminster-hall than a meeting of merchants concerning their affairs. It is with the greatest satisfaction I have heard from the gallant Officer, who has spoken so eloquently, that the reward that used to be bestowed upon officers who had acquired a knowledge of the Native languages had been withdrawn, for their object should be only glory, and they should not be actuated by the selfish views of gaining money. I am content to trust the matter to the Directors, and shall therefore oppose the motion.

Col. LUSHINGTON.—I wish to say a few words with respect to the rewards that have been withdrawn. I am not at all inclined to approve of that measure; all I said was this, that there never was a period since the rewards had taken away, in which the Native languages were better understood than at present. But it is my opinion that the officers should be taught to look to reward as well as to glory.

Sir GEORGE ROBINSON (the Deputy-Chairman).—I hope the Court will allow me to bring back the question from the wide range it has taken, to its actual bearings, and that is, whether it is better for cadets to give a test of their acquirement of the Hindoostance, before they were appointed, or learn in the country where it was universally spoken. It is my opinion that many evils would arise by compelling them to learn, and as the case now stands there is sufficient inducement to their acquiring the Native languages. I do not think that the hon. Mover has been actuated, as had been said, in bringing forward this motion, by any wish to throw blame on the Court of Directors; but I must say that as often as this case has been agitated, there has appeared on the part of the hon. Mover a great anxiety to promote the pecuniary views of a certain individual. It has been mentioned in the course of to-day's debate that the Marquis of Hastings had originated the measure of appointing Native interpreters to the different regiments in their service. If this had been the act of that illustrious individual, I should have been very unwilling to detract from it; but the fact is, it was an act of the Court of Directors, considered and determined upon before that noble person arrived in India. I will read the military letter of the Court of Directors, dated 12th of March 1813, by which the Court will see that the case is as I have stated it.

(The hon. Proprietor here read an extract from the letter, to show that

the appointment of interpreters, selected from subaltern officers of each Native battalion, was the act of the Directors. He then read another letter, dated 17th January 1810, by which it appeared, that the Directors had come to a resolution, that no staff appointment should be held by any officer who had not previously acquired a competent knowledge of the Hindoostanee language.)

Considering all these circumstances, I do think that the Court of Directors have never been slow in affording every encouragement to the attainment of the Native languages; and I must state that, notwithstanding all that had been said to the contrary by one hon. Proprietor, a more correct distribution to these offices never took place than at the present period; I therefore think, that it would be a better way for the Court of Proprietors to leave, unchecked and unshackled, to the Court of Directors the adoption of any further measures which they might think proper in the prosecution of their own system. The success of it was as deeply interesting to the Directors, both individually and collectively, as to any member of this Court; and it would not be improper to add, that the plan, which had formerly been abolished, of giving rewards for the purpose of encouraging the study of the Native languages, was under consideration to be revived. I have not the least doubt but that every encouragement will be given to proficients in the Native languages by the Court of Directors. I may state, too, that the Court of Directors do not think it expedient that young men should be forced to prosecute their studies here, considering that their detention would be the consequence, and their parents put to serious inconvenience and expense. If there were the number of institutions in this country for learning the Hindoostanee as had been mentioned, I think it may safely be left to such of the parents and friends of the young men who are going abroad, to give them that preliminary instruction which circumstances might permit of, especially as it would qualify them to hold staff situations in the Company's service. For these reasons, I am decidedly against the original motion and the amendment which had been put afterwards. (*There is no amendment.*)

Mr. WREEDING rose and said,—I agree with the Deputy-Chairman in thinking it would be much better to leave the whole matter in the hands of the Directors and the authorities abroad. When this subject was brought before the Court on a former occasion, I stated my opinion, that if the young gentlemen intended for India should receive instruction from any body, it should be from some person in India, rather than receive it at home. Such was my opinion, and nothing I have heard to-day has altered it. It would be found a very inconvenient practice if the body of cadets should be subject to examination and test before they proceeded on their voyage. I had at first imagined that the hon. Mover intended that another college should be built for the purpose of instructing the young cadets in Hindoostanee, as in another place young gentlemen were instructed in Greek, Latin, and morality; I am glad to find that the hon. Mover had no such intention; the cadets were, however, to be subjected to a previous test and examination. If this test were of a high, or even a low order, the time consumed in preparing for it would be so long that the supply of officers would not be equal to the wants of their military service. Even at Haileybury and at Addiscombe, where the demand was not so great by one-tenth in the ratio of their military service, and where instruction in Hindoostanee was assisted by rules and regulations, and by a host of professors acting under a system which had been established for years, the supplies of cadets which these institutions sent forth would not be found equal to the demand. If such inconvenience and difficulty was met with where the numbers were so few, what would be the case where the numbers required were many? Even if it should be a law that a mere smattering in the language was wanted, it would be attended with this disadvantage,—that the cadet, with the slightest knowledge of the language, would go out qualified for the performance of his duties in India, so as to render it unnecessary for the cadet himself, or for the authorities abroad, to trouble themselves any further on the matter. But there is another circumstance which, in my opinion, counterbalances

the whole of the advantage of the hon. Mover's proposition: for very good reasons cadets were appointed at the early age of sixteen; they could not be appointed beforehand, because of the uncertain wants of their military service. The Directors did not know they had the power of making appointments till they arrived. Every one, I think, who has the least observation of human nature, will admit the great indiscretion of allowing youths, of so tender an age, the liberty of controlling their own time, for one or two years, while qualifying themselves for this test amidst all the allurements of a large, or even small town. The desire of indolence and pleasure, inherent in man, would, at their age, be much stronger than when reason and reflection would be so strong as to direct their attention to more useful pursuits, and they would most likely fall into a pernicious course. I ask, are these disadvantages at all overbalanced by any necessity of the case proposed by the hon. Proprietor? The fact is, no necessity existed at all, as had been most satisfactorily proved by a gallant Officer (Col. Lushington). One would suppose, from the speech of the hon. Mover, that cadets were intrusted with important commissions the moment they set foot in India; but was this the case? A month or two elapsed before they joined their regiments as ensigns. Here they found themselves not only among associates of their own rank and senior ensigns, but among lieutenants, captains, majors, and lieutenant-colonels, whose authority and example would excite them to the attainment of that knowledge necessary to the due performance of their duties. The progress of the promotions also aided the same object. Before an ensign was made lieutenant a year or two elapsed; many years, as much as fifteen or twenty, before he was promoted to the rank of captain, and as much more before he became lieutenant-colonel. Was not this progressive preferment sufficient to prove, that long before an officer could arrive at any office of importance, he would have ample opportunity to acquire, and the authorities in India would have sufficient opportunity to demand of him, a competent knowledge of the soldiery over whom he might be placed. I think it, therefore, better, that instead of a young man wasting his time here on the acquisition of mere tyro's information, he should be sent out at once to India, and there, on the theatre of his future operations, in the midst of the language which he was to learn, he would better acquire it, together with his professional knowledge. I am, for these reasons, opposed to the present motion, being quite satisfied that it is much better to leave the whole matter in the hands of the Directors and the authorities in India.

Dr. GILCHRIST was proceeding to offer some remarks in reply, as seconder of the motion, when

Mr. POWNDER said—It is painful to me to be under the necessity of objecting to the learned Doctor's course of proceeding. He did not urge to reply as a matter of right, but as a matter of courtesy. I am aware that the Mover of a question is heard a second time by courtesy, but the Secunder was not. If the learned Proprietor was heard in this instance, it would establish a precedent very inconvenient to the despatch of the business of the Court.

Mr. HUME.—Perhaps it would save the time of the Court, of which the hon. Proprietor seemed so careful, if he were informed that his learned Friend (Dr Gilchrist) did not intend to press his claim to a reply.—(*I laugh.*) I myself shall take up but a very short time in reply. To the paltry objection that had been made, that the motion had been brought forward with a view to the interests of particular individuals, it is beneath me to offer any remark. The question had been introduced solely from a conviction, that if it were acted upon, it would be beneficial to the interests of the Company. The objection that had been made by the gallant Officer, and his statement of the disposition of the officers to learn the Hindoo language, had no application to this motion. It might be correct as regarded the Bengal establishment; for they were certainly better acquainted with the Native language than the officers of other Presidencies. But it was well known that in Madras the Native officers were obliged to act as interpreters to the European officers. The hon. Director (the Deputy-Chairman) had said that this was a subject that had been care-

fully looked into by the Court of Directors, and that they had been very active in promoting a knowledge of the Eastern languages among European officers of the Native troops. I will give them an opportunity of proving before the Court rise, what the hon. Director has said about them, for I intend to move for copies of all instructions sent out to India on the subject of European officers learning the Eastern language, and what encouragement they held out for the acquisition of that language. I will mention, however, in the mean time, that there were fifty *golundaz* corps in India without any interpreters; at all I can state as a fact, that the Bengal artillery was without one interpreter, and the minute of the Court, which had been read by the hon. Deputy-Chairman, was in answer to a representation of that fact, made five years before. After this I am not disposed to push the Directors further. The hon. Deputy-Chairman had said that he would trust to the natural disposition of men to learn the Hindoo language. But what is the natural disposition of men? It is to be idle and depend on the exertions of others, unless some encouragement was given for activity and application. Are we then to trust to the natural disposition of men, or to coax them to learn their lessons by rewards of 150 rupees? In my opinion, it would be better to abolish these childish rewards by enforcing the necessity of cadets learning the language before their appointment. But the hon. Director tells us to leave the matter to the Directors, for being uninterested persons, they would consult best for the instruction of military officers in the Eastern languages. I am not at all inclined to leave it in their hands; for they are interested persons, as the value of the appointments they had to bestow would be depreciated by a long preparation for it. It is a ridiculous argument that has been made use of, that the morals of the young men would be endangered by a residence in London or Edinburgh, while attending lectures or studies in the Hindoo language. How many young men attend the charter houses in this city, and go home every day without injury to their morals? Is more danger to be apprehended here than at Cambridge or at Oxford? No such danger existed, and the assertion of it is a shallow argument for sending out young men unqualified to discharge their duties. There are many excellent establishments in London and its vicinity, where young men might be instructed in Hindoostance, and the Company ought to take advantage of them. The experiment of teaching them the language in India had been tried and failed. A cadet corps had been established in one Presidency in the conviction that the cadets sent out to India were not qualified for immediate service, but it had proved abortive. It is extremely necessary that young men, whose immediate services were required, should go out fully qualified, especially in time of war, when they joined their regiments in two or three weeks after their arrival in India. As to the assertion that a subaltern could not be promoted before a period of fifteen or sixteen years, I knew myself an instance to the contrary, where an ensign, the day after his appointment to the regiment, took the command of a company. And this must be the case in many instances, for field-officers could not take the command of a company; and where there were few captains, ensigns must be promoted. In Cutch, where a number of troops were stationed to meet a rupture of the neighbouring chiefs, there were only two captains in the corps, and four companies were intrusted to the command of an ensign of only a few weeks' standing. I do not mean to say that young men so situated might not be possessed of very considerable talent, but that talent must be very much limited in its operation, when they were ignorant of the language of the troops they commanded. I shall not leave the matter in the hands of the Directors, who showed how unworthy they were to be trusted by sacrificing to their own private views the interests of the Company.

The CHAIRMAN.—Before I put the question to the Court, I must observe, that though there may be a difference of opinion as to the expediency of the present measure, there can be but one as to the general importance of the question. This question has been discussed, and the steps taken respecting it have, I believe, had the desired effect. I have no objection to the agitation of the question in the present instance; but I do think that the wide range taken by the hon. Mover in his speech, in which he had said that the officers

of the Indian army had not industry enough to acquire a language, the knowledge of which was necessary to a due performance of their duties, a very pointed libel on the army of India. It ought to be remembered, to the honour of that army, that when, in 1792, the Company gained an addition of territory, it was the officers of the army that Lord Cornwallis, their Governor-General, selected as most fit, from their knowledge of the language, and customs and feelings of the Natives, to be placed over the newly-acquired districts. From that day to this, the army had constantly possessed men who were not less remarkable for bravery in battle than for a knowledge of the feelings and habits of the Natives. Is it proof, too, that the Hindoostanee language is neglected, that when offices became vacant, where a knowledge of the Hindoo language was necessary, there were immediately numerous candidates for them? I think it very unfair, therefore, that such a libel against the army of India should go abroad uncontradicted. To what the hon. Mover has observed respecting the artillery corps, I have to reply, that at the time he is speaking of, that corps was composed entirely of Europeans. (*Mr. Hume*—"It was not so.") Such I understand was the case, and, therefore, the hon. Mover should make some allowance for the remissness of officers in that respect. If the present question should be agreed to by the Court, it would meet with every attention from the Directors; though at the same time I must observe, that if it is expected it would be acted upon, the Proprietors would be very much disappointed. The Directors are the sworn functionaries of the Proprietors, and they cannot do that conscientiously which they think pernicious to the interests of the Company.

*Mr. Hume*, in explanation, said—The hon. Chairman is very much mistaken in supposing the Bengal artillery to be all Europeans. The proportion of Natives was four to one.

The *DEPUTY-CHAIRMAN*.—It is true that, some years ago, the Bengal artillery was all Europeans; but since, there has been a corps of *goluindaz* added to it, and interpreters were in consequence now attached to it.

The *CHAIRMAN* then put the question, when, on a show of hands, he declared it to be negatived.

*Mr. Hume* rose.—In order that the Proprietors may know how the Court of Directors wished to give encouragement to the attainment of the Native languages, I now rise to move for the production of those papers of which I gave notice in my reply. It has been mentioned by many gentlemen in this debate, that the Directors were desirous of affording every encouragement to the study of the Native languages, and I wish to know how far that is correct; but I am afraid it will be found different. I hope I may calculate on the votes of those gentlemen who have so warmly defended the Directors; for if they have been so active, as has been asserted, in promoting a knowledge of the Native languages among their military officers, it would be to their honour to bring forward such instructions. I shall now move for "Copies of all despatches, or orders, from the Court of Directors, since 1798, to the several Governments in India, enjoining or recommending European officers to acquire a knowledge of the Native languages, or expressive of the importance or utility of the Eastern languages, to the efficient performance of the duties of European officers."

*Mr. Weeding*.—This motion appears to me to be a very extraordinary one; for the very moment after this Court has expressed its perfect reliance on the wisdom of the Directors, the hon. Proprietor gets up, and moves for certain papers, to see if they would not contradict the vote the Court has just come to.

*Mr. Hume*.—I wish to see if what certain Proprietors have said respecting the encouragement held out by the Directors to the study of the Eastern languages, is correct. I very much doubt that it is, and wish to prove it from their own documents.

The *DEPUTY-CHAIRMAN*.—The hon. Proprietor has just now distinctly avowed his intention to be, to pass a censure on the body of Directors for what he supposed their negligence. Some allusion has been made to what I have said by the hon. Proprietor. I cannot recollect the precise words I used, but the whole import of them was, that the Directors had given every en-



couragement to military officers to acquire the Native languages, by sending out instructions that no officer should hold a staff-appointment, unless he possessed sufficient knowledge of the Hindoo language. This was the encouragement which the Directors had given, and I do not think that they are to be censured. I therefore hope that the Court will put a negative upon the motion.

Dr. GILCHRIST rose for the purpose of addressing the Court; when

Sir J. SEWELL said, that after the Mover had been heard in reply, no one outside the bar could, in the regular course of proceeding, be heard afterwards.

Mr. HUME.—I am sorry that the learned Judge who has just sat down has not dispensed justice with an equal hand upon this occasion as he has at other times. He said that no person could be heard after the Mover had replied. Now, if that is the case, the irregularity is on the part of the hon. Deputy-Chairman, whom the learned Judge did not call to order.

Dr. GILCHRIST again rose and said—It would appear that the cause of the Directors was not very good, since there is such a disposition on the part of their friends to prevent my speaking. But I will not forego the right I possess of addressing this meeting, in deference to the opinion of any person; and I shall, on a future occasion, submit my own case to the consideration of the Court. On the question of the Hindoostanee language, I must say, that if the cadets did not learn the rudiments of it in England, most probably they never would learn it at all.)

(A Proprietor observed, that it was quite an irregular course to go into the discussion of the general question after the Mover had replied.)

Sir C. FORBES.—I think it very unfair that any Proprietor should be prevented from expressing his opinions at any time upon the question before it was put to the vote. Such a liberty is allowed in the House of Commons, and I think it ought to be allowed here.

Dr. GILCHRIST again resumed.—The learned judge (Sir J. Sewell) had talked about bullocks; perhaps it would have been more appropriate if he had talked about jack-asses.

Mr. WIGRAM.—Though I entirely agree with what has fallen from an hon. Baronet on the right of Proprietors to deliver their sentiments at any period of the debate, yet I think, that in doing so, he ought to confine himself to the subject before the Court.

Dr. GILCHRIST resumed his address, but was again interrupted by the Chairman. He afterwards proceeded to make some observations on the encouragement the Directors had given to the study of the Hindoo language. He was afraid that that encouragement had been very slight.

The CHAIRMAN begged of the hon. Proprietor to say if he thought the course he was pursuing was correct.

Mr. HUME thought it was quite regular.

Dr. GILCHRIST did not again rise, and the Chairman, after putting the question, declared it negative.

#### SALARIES OF PROFESSORS.

Mr. HUME.—I have some other motions which I wish to put to the Court. The present one was for "An account of the annual amount paid to each Professor in each of the Colleges or seminaries of education in England and India, stating the amount of regular or fixed salary, and of allowances, whether for house-rent or otherwise; also whether a house or quarters are provided for them; for the past year, as far as the same could be made out." The reason I move for this account is, because I have heard that additions have been made to the salaries of Professors, and I think it proper that it should be known.

After a short conversation, the motion was agreed to, "as far as the same could be made out."

Mr. HUME then moved for "A return of all sums, exclusive of fixed salaries and allowances, paid to teachers or professors of Oriental languages in India and in England, for extraordinary services of any kind, connected with the

Oriental languages, stating the names of such teachers or professors, the dates on which paid, and the amount of each grant;" which was agreed to.

CONDUCT OF THE COURT OF DIRECTORS WITH RESPECT TO CERTAIN PUBLICATIONS.

Mr. HUME.—The last motion which I have to submit to the Court, and to which I hope there will be no objection, is, for "A return of all sums advanced by the East India Company at home and abroad, since 1798, for publications and books connected with the Native languages of India, and their author's name, the number of copies of each book subscribed for, and whether the copies so subscribed and paid for, were ever received by the Company, and if received, whether these copies were sold or distributed, or now remain in hand."

The DEPUTY-CHAIRMAN said—If this is agreed to, I think the Court ought to add, "as far as that can be made out;" for it is impossible to tell how many books, or at what expense, the Government in India had patronised. I wish to know whether the hon. Mover will put the question in a shape that some return can be given to it.

Mr. HUME.—I do not wish to put the motion in a way that no return can be given to it; but I will say, that my chief object is to prove that a publication, called the 'Asiatic Journal,' was not supported by the Company. I have heard it asserted that it was supported by the Company, but I believe it to be a calumny.

Upon a show of hands, the Chairman declared the motion to be negatived.

Mr. HUME thought the show of hands was in favour of the motion, and requested the Chairman to divide the Court. The Court accordingly divided, when the numbers appeared,

For the motion .....	8
Against it .....	39

Majority against the motion ..... 31

The Court adjourned at half-past five o'clock.

Wednesday, February 8.

A Special General Court of Proprietors of East India Stock was this day held, for the purpose of "taking into consideration the 'Oude Papers,' published by the vote of a former General Court of Proprietors."

THE SHIPPING SYSTEM.

After the usual routine business had been transacted,

The CHAIRMAN (C. Majoribanks, Esq.) laid before the Court an account of the Company's shipping up to the 21st of December last. It included the number of ships of all descriptions in the Company's service, together with their tonnage, rates of tonnage respectively, and the number of voyages for which they were engaged. Also the names of the owners, and the period for which the ships were taken up. He also laid before the Court a list of Company's ships purchased for India and China, since 1813; the number of voyages they had made; the expense of each voyage; the gross price paid for them; and the expense incurred for repairs.

Captain MAXFIELD.—Can I have access to those papers? Are they left open in the Proprietors' room?

General THORNTON.—The papers, I think, ought to be printed for the use of the Proprietors.

Captain MAXFIELD moved that the papers be printed.

Dr. GILCHRIST seconded the motion.

The CHAIRMAN reminded the hon. Proprietors that this was a *Special Court*, and that therefore no other motion could be entertained, save that which they were specially assembled to discuss.

Captain MAXFIELD.—I have submitted the motion now merely to save

time. If it be not agreed to at present, I shall have to wait till the next Quarterly General Court, which will be a considerable loss of time.

The CHAIRMAN admitted that this might be the case; but still it was necessary that the regularity of their proceedings should be strictly kept up.

General THORNTON referred to the practice of the House of Commons, where motions for the printing of papers uniformly followed their production.

The CHAIRMAN —The practice of the House of Commons, and the practice of this Court, differ.

Dr. GILCHRIST observed, that a Special Court could easily be called for the purpose of moving for the production of those papers; but such additional trouble might be spared, by allowing the motion to be put now.

The CHAIRMAN was well aware of the motive which induced the motion to be made at this moment; but, as the proceeding was irregular, he could not sanction it.

Here the conversation ended.

#### OUDE PAPERS.

The CHAIRMAN acquainted the Court, that it was specially *convened* at the request of nine Proprietors, “for the purpose of taking into consideration the *Oude Papers*, published by the vote of the General Court of Proprietors.”

Sir J. DOYLE.—I wish, Sir, before I proceed to the business of the day, to relieve the minds of gentlemen from those apprehensions which may naturally be excited by seeing before them so large a volume of papers, which forms the foundation of the motion that will be submitted to the Court. The extent of those documents may lead them to expect a long-protracted debate, an expectation which would be rather encouraged than checked by a remembrance of the voluminous collection of Hyderabad papers, which occupied the Court for so many days in the course of the last year. Between the two cases there is, however, this distinction; namely, that on the Hyderabad question there was a great difference of opinion in the Court: but, I believe, that with respect to the Oude question, but one sentiment prevails amongst the Proprietors. For that reason, it will not be necessary for me to trespass on the Court at any considerable length. I shall now, Sir, proceed to state why this large mass of papers has been laid before the Proprietors. While the Marquis of Hastings was on his voyage to England, after having resigned the office of Governor-General of India, he thought the leisure which was thus at his command afforded him a proper opportunity for throwing together, in a connected shape, the principal events of his administration, for the purpose of showing his honourable employers the manner in which he had discharged the extensive and important duties which had been confided to him. He accordingly drew up a *Summary* of his administration while the circumstances were fresh on his memory, but without the aid of original documents; which *Summary* was transmitted to the Court of Directors. They, however, not looking upon it as an official document, the Marquis of Hastings being no longer in the Company's employment, did not attach any official importance to it, or received it as a document having any claim to an official character. The noble Marquis then showed it to some friends, who expressed a wish that it should be published. This the noble Marquis thought proper to decline; but, as he was on the eve of proceeding to a distant Government, he left the *Summary* in the hands of those friends, trusting to their discretion as to the propriety of publishing it, or withholding it from the public, as circumstances might arise. The gentlemen, in whose care the *Summary* was left, afterwards deemed it necessary to give it to the world, for reasons to which it was of no consequence now to allude. After this, it happened that an hon. Director, (Colonel Baillie,) in giving his evidence before a committee of the House of Commons, on the subject of the Oude Loan, made a statement so much at variance with a part of that written by the Marquis of Hastings, that another hon. Baronet, (Sir G. A. Robinson,) who likewise was a member of that committee, was induced to call for explanatory papers, with the view, as it seems to me, of enabling the hon. Director (Colonel Baillie) to support his state-

ment. Different documents were called for by other hon. Gentlemen, and at length the immense mass of documents now before the Court was brought together. It now becomes a question to whom this book belongs? The hon. Director (Colonel Baillie) has rejected it. At a recent Court he disowned the production. The Court of Directors, collectively, will not admit that it is theirs. Surely it cannot be said to belong to the noble Marquis, as he was not in England when the papers were called for. In fact, I cannot find any gentleman ready to adopt this foundling. Still, however, as the hon. Bart. (Sir G. A. Robinson) had unquestionably a share in bringing it forward, I beg to ask whether it is his?

Sir G. A. ROBINSON said, that if the question of the gallant General went to the whole of the book, he certainly must answer "no" to the interrogatory. He, at the same time, admitted that a part of the documents were produced in pursuance of a motion made by him. All he wanted was to get some explanation of the nature of the loans made by the Nuwaub Vizier. He had observed it stated in the *Summary* of the noble Marquis, that the first loan was voluntarily granted by the Nuwaub as a testimony of gratitude for having rescued him from the thralldom in which he had been kept under his Lordship's predecessor in the Governor-Generalship. A statement had been made in contradiction to this; and he (Sir G. A. Robinson) was desirous to have certain papers which might set this point in its proper light. For those papers alone had he moved. With respect to other portions of the volume, he had not called for them; nor, in truth, would he have put the Company to the expense of printing such a mass of papers.

Sir J. DOYLE.—I assure the hon. Baronet that I have already, in my own mind, acquitted him of having sanctioned the printing of all these papers; but I must own, that I am not at all sorry on account of their having been produced; because the publication of those documents will place, in the brightest point of view, the wisdom of the administration of my noble Friend, the Marquis of Hastings. I now come to the papers, and, in order to avoid mixing up matters that are not necessarily connected, I mean to divide the subject into two parts. The first will embrace the circumstances of the loans received from the Nuwaub Vizier; the second will apply to the removal of Colonel Baillie from his situation as Resident at Lucknow. On the first question, I mean to submit certain resolutions to the Court, and when they shall be disposed of, it will then be my duty to move other resolutions relative to the removal of the Resident. In the course of this proceeding, I shall have to refer to the documents sent by the Marquis of Hastings, and also to those which came from the hon. Director (Colonel Baillie). There is also a third point on which I must touch, and the responsibility of which rests with the hon. Director. I mean his having exposed to public view documents which were placed in his hands, not as a private individual, but as a public servant; such conduct, amongst official persons, is, I believe, to say nothing more of it, perfectly unusual. I regret to say, that the publication of some of those official documents by the hon. Director, calculated as they were to excite unpleasant feelings in the minds of all those who saw them, was approved of by one gentleman, and that gentleman, be it observed, the private friend and confidential secretary of the noble person to whom they referred. I mean not to say any thing against the hon. gentleman (the late Mr. J. Adam) to whom I allude. Unquestionably, I did not admire his policy with respect to Indian affairs; but, in private life, I have ever e-teemed his character, and I regret that I am obliged to speak of him in the past tense. Still, respecting that gentleman as I certainly do, I must, in justice say, that the letter I now allude to, if written by him, was a drawback on his high character; and really it would have been scarcely much less so, had that letter been only read and approved by him. I regret, that, as the hon. Director (Colonel Baillie) has published some particular documents, he has not thought proper to send forward some others which were equally in his power, and which would have gone far to explain some parts of those that have been already sent abroad. Bulky as the book is, I am glad that it has been given to the world, because I feel quite confident that the more the administration of the Marquis of Hast-

ings is examined, the more it will appear, that, as a statesman, a financier, or a soldier, no Governor-General ever stood so deservedly high as that nobleman. I do not, however, Sir, mean to apply myself to this mass of papers for the purpose of defending the noble Lord's system of government, or his character as Governor-General. The character of the noble Marquis stands in need of no defence; but, if it did, that defence rests in abler hands; it rests in the hands of his natural protectors, the Executive Body. I now stand forward, not in support of the noble Marquis, but on behalf of the Proprietors, I being one of that body, and in order to uphold the decisions to which the Directors have long since come to on the particular subject to which my motion refers. I allude to the loans made by the Nuwaub Vizier. When the Marquis of Hastings left the seat of Government to carry on the war against Nepaul, it is a well known fact that the Company's finances were much embarrassed. I could appeal to many gentlemen present, whether, at that time, serious fears were not entertained that the drafts of the Company could not be satisfactorily met. While these embarrassments prevailed, it was suggested that assistance might be derived from the Nuwaub of Oude. The Governor-General approved of this suggestion. He felt, however, that it was a very delicate matter, as the Nuwaub had but recently been raised to the musnud; and his Lordship determined to be guided in his decision by what he might observe on his arrival at Cawnpore. He arrived there on the 8th of September, and on that and the following day visits of ceremony were exchanged between the Governor-General and the Nuwaub. On these days, of course, no business was transacted. On the third day, however, the Nuwaub (Mr. Ricketts, Mr. Swinton, and Mr. Adam being present) made an offer to the Governor-General of a crore of rupees for the service of the Company. Colonel Baillie, it should be observed, was not present. The Nuwaub observed, that he would most readily give the money, and he hoped the Company would receive it as a free gift. I do not, Mr. Chairman, state this on the authority of any one of the gentlemen whose names I have mentioned. It is better for me to give it on the authority of the hon. Director (Colonel Baillie) himself; and with this view, I shall now read an extract of a letter addressed by Colonel Baillie to Mr. Ricketts, dated Lucknow, Jan. 10, 1815. But before I read the letter, I must state, that the point at issue between the account of the noble Marquis and the statement of the gallant Colonel, relative to the first loan is this. The noble Marquis describes it as a free and voluntary offering made to the Company by the Nuwaub, while the gallant Colonel declares that it was procured with very great difficulty; that, indeed, it came from the Nuwaub like drops of his blood. I shall now read the extract, which is as follows:—

I have had the pleasure of receiving your communication, dated the 2nd inst., and I shall take the first favourable opportunity of having it suggested to his Excellency the Vizier, that another crore of rupees, as a loan to the hon. Company, would be an acceptable offering to Lord Moira, whose pleasure and convenience, I am persuaded, *his Excellency is disposed to consult to the utmost extent of his power.*

Of the delicacy of a negotiation of this nature, his Lordship and yourself must be aware; and I shall, therefore, at present, say no more than that my best and most zealous exertions shall be employed to ensure its success, and to accomplish his Lordship's purpose.

By the way, I have no recollection of the circumstance of his Excellency's former offer of a second crore of rupees. It was certainly not made to me, nor to his Lordship distinctly in my presence. The Nuwaub made a general observation, in the true Oriental style, that his *Jan Mât* (life and property) were at his Lordship's command; and an expression to the same effect was contained in one of his papers of requests which he recalled. You told me, I also remember, and so did Swinton and Adam, that at a conference from which I was absent, his Excellency had offered the first crore as a *gift* instead of a *loan*, and as much more as might be wanted; but his Excellency's written offer to me of a crore was expressed in by no means so liberal terms; and as the paper is still by me, I insert a translation of it here, viz.

'You mentioned, yesterday, the necessity of a supply of cash for the extraordinary charges of the Company. As far as a crore of rupees I shall certainly fur-

nish, *by way of loan*, but beyond that sum is impossible; and a voucher for this sum must be given,' &c.

Nevertheless, there is reason to hope that his Excellency (who must himself be aware of his second more liberal offer to Lord Moira) will renew that offer to me, when he finds, as I shall take care to convince him, that the offer will now be accepted, and that a reliance on his friendly disposition has prevented his Lordship from looking to any other source of supply.

We here have it, Mr. Chairman, under the hand of the gallant Colonel himself, that an offer was made by the Vizier to the Governor-General in the presence of Messrs. Adam, Swinton, and Ricketts, that he would advance a crore of rupees as a gift; but the gallant Colonel adds, "The Vizier's tone to me on this subject was very different." To me, Sir, it is quite immaterial what tone the Vizier afterwards adopted. My argument is, that he did make such an offer as fully bore out the description given of the first loan by the Marquis of Hastings. In the letter of Colonel Baillie, that gallant Officer observes, "You allude not merely to one but to a second crore of rupees." But was he the only person by whom it had been mentioned? The Marquis of Hastings spoke of the first crore alone as a voluntary offer on the part of the Nuwauh. The second was admitted by him, and the fact was not denied by any party to have been the result of a negotiation. I shall next trouble the Court with an extract from a letter addressed by the Vizier to the Marquis of Hastings containing the offer of the second crore. This will enable the Court to judge how far the first was or was not voluntary. In that letter, dated March 18th, 1815, the Vizier expresses himself thus:—

As no separation of interests exist between the state and the British Government, under this conviction every succour and assistance which may be reasonably offered or afforded by me and my Government to the Hon. Company is in every respect fitting and proper; and I regard it as my good fortune to have an opportunity in such times of evincing my friendship for your Lordship. Impressed with this sentiment, and having heard from Major Baillie and from other quarters, that in consequence of the new levies of troops, and of the military preparations connected with the war in Nepal, and with other measures in progress, a pressure is experienced in the finances of the Hon. Company, which cannot but occasion some anxiety to your Lordship's mind, it has occurred to me in the spirit of the intimate union which has from of old subsisted between the two Governments, to derive and contribute something more in the same way as on a former occasion. After maturely considering what my Government was capable of doing, I have determined to afford another crore should it be required; and I accordingly write with the pen of friendship to say, that it is forthcoming when your Lordship shall intimate a wish to receive it.

Such, Mr. Chairman, are the words of a Prince, who, it has been asserted, granted the first crore with the greatest reluctance. Are the sentiments contained in this extract those of a man from whom the first crore had been forced; or, at least, wrung with a consent which was any thing but free and liberal? If doubt remain, I will put that doubt to flight, by reading another extract of a letter from the Vizier to Colonel Baillie, received on the 10th of May 1815. The following is its purport:—

I have received the translation which you sent to me of a letter from Mr. Adam to your address, dated the 23d of March last, expressive of the wishes and sentiments of my respected uncle, the Governor-General, with regard to the loan and repayment of a crore of rupees, &c. &c.

The truth of the matter is this, that as I have all along made all his Lordship's wishes on this subject the rule of my conduct, so also now and in future it is my intention to cultivate his Lordship's pleasure, and to do nothing contrary to his wishes. The money which I have promised to give shall be paid whenever his Lordship thinks proper, and in any way which he may prescribe. My reliance on the friendship and knowledge of the Governor-General is unbounded; and as you know that on the occasion of the former loan I considered an acknowledgment under the seal of the Governor-General to be unnecessary, so, in the present instance, your giving a receipt for the money, till the arrival of an acknowledgment signed and sealed by the Governor-General, is totally unnecessary, and my taking it would seem to indicate distrust.

Here, Sir, is a clear offer of a million sterling, not merely without reluctance, but such was the Nuwaub's confidence in the Government, that he was ready to advance it without acknowledgment from the Resident. Instead of demanding an immediate acknowledgment, he chose rather to wait until a document of that description was sent to him from the Governor-General on the receipt of the money. Surely, the letter I have read exhibits any thing but an unwillingness to comply with the request of the Government. Did it not, on the contrary, manifest a great deal of readiness to afford every assistance in his power, when the pressing exigency of the Company was made known to him? From part of the Hon. Director's statement, however, it appeared that the Nuwaub had manifested a certain degree of reluctance to advance a crore of rupees, because he had previously wished to confine the loan to 50 lacs. This certainly might be the fact, because if a man conceived that he could assist his friend by the loan of 50 lacs as effectually as he could by advancing double that sum, it would hold good, as a general proposition, that he would prefer the advance of the smaller rather than of the larger sum. It should, however, be recollected that this occurred after he had made the first voluntary offer of a crore, and when the loan of a similar sum was demanded. I now beg leave to direct the attention of the Court to the manner in which the gallant Colonel spoke of this offer of 50 lacs of rupees. The gallant Colonel, in his letter to Secretary Ricketts, dated Feb. 11th, 1815, (see printed Correspondence, p. 1034,) speaks in this manner:—"And now, dear Ricketts, pray inform me whether these 50 lacs will do your business or not? You may have them as a gift, I conceive; or, at all events, you may pay them when you please, and the interest will be rejected if you wish it." Is this, Sir, the offer of a man who was described to be most reluctant to make any advance to the Company? Either this statement was true or it was not. If it were true, could the person from whom it came, and who had already advanced one million, could he, I ask, be fairly accused of an unwillingness to assist the Indian Government? If it were not true, and I cannot believe that it was not, it would become the duty of the gallant Colonel to explain to the Court the peculiar circumstances under which the communication was made. Now, Sir, to show the mode in which this offer was made, and the impression, as to its character, which had been formed on the mind of the noble Marquis, I wish the Clerk to read an extract from the Governor-General's political letter to the Court of Directors, dated 15th of August 1815, commencing par. 9. p. 846.

The Clerk accordingly read the following passage:

His Excellency the Vizier having, at a conference which I held with his Excellency at Cawnpore on the 11th of October, tendered to me, as a proof of his friendship, and of the cordial interest which he feels in the prosperity of the affairs of the Honourable Company, an accommodation of one crore of rupees in the way of loan, I deemed it to be my duty, in consideration of the actual state of the public finances, and the public demands, arising out of the prosecution of hostilities with the Nepaulese, and the eventual necessity of supporting, by military preparation, our political views with relation to Sangor and Bhopaul, to accept the offer, with due acknowledgment of the cordial and friendly spirit in which it was made. At a subsequent conference, his Excellency solicited my acceptance of the sum as a free gift to the Honourable Company; but for reasons which will be obvious to your honourable Court, I declared, with suitable expressions of my sense of this additional proof of his Excellency's friendship, my inability to receive the accommodation, except as a loan. It was arranged that the sum in question should be placed on the footing of a subscription to the six per cent. loan then open; but his Excellency's consent was subsequently obtained to an arrangement for the permanent assignment of the interest on this loan to the payment of those pensions from his Excellency's treasury, which were under the guarantee of the British Government.—[Then his Lordship goes on to point out the advantages of this arrangement, as removing a continual source of vexatious discussions about the payment of these pensions.]—At a subsequent period, the heavy pressure of the war with Nepal, and the military preparations which I had deemed it to be my duty to adopt, as fully detailed in my separate despatches on that subject to the honourable the Secret Committee, induced me

to turn my thoughts to the expediency and practicability of obtaining a further pecuniary aid from his Excellency the Nuwaub Vizier, whose interest in the success of our measures is closely interwoven with that of the British Government, whose attachment to the Honourable Company is undoubted, and whose personal regard for myself I was disposed to think would render him desirous of contributing to the alleviation of our financial embarrassments, were he once apprized of them.—[His Lordship proceeds to state how, under his directions, a negotiation for this purpose was opened by Colonel Baillie; that the Vizier, in consequence, first offered fifty lacs, which his Lordship declined, because the mode of tendering it did not indicate sufficient frankness, and it was less than the sum required; that this offer having been made by his Excellency under an imperfect knowledge of the magnitude of our financial difficulties, these were more fully explained to him; after which his Lordship says, in continuation:—]—You will, I assure myself, have sufficient confidence in my sense of what is due to the delicacy and character of your Government, to be satisfied that I have not committed or allowed a trespass on the kindness of the Vizier. The only influence employed, was the giving him a distinct view of the embarrassments in which I stood, and thereby exciting his own feelings, to come forward with a decisive proof of the attachment he professed for me. According to my expectation, the Vizier, on being made master of these circumstances, tendered, in the most friendly terms, a loan of a crore of rupees, bearing interest at six per cent. His Excellency's former letter was withdrawn at his request.

I do not mean, Sir, (continued Sir J. Doyle,) to make any comment at this moment on the important document which has been just read; and I shall now beg leave to read the copy of a letter from the Marquis of Hastings to the Chairman of the Company. The letter runs thus:

Sir,

London Castle, Sept. 14, 1825.

I do myself the honour of enclosing to you the copy of a paper transmitted to me while I was at Malta, by Mr. Ricketts. The statement of Colonel Baillie makes it desirable that you, and the other members of the Court, should peruse Mr. Ricketts's recital. You will exercise your own pleasure upon it; but I make no application for its being printed, since I cannot wish to aggravate the disadvantage (as I anticipate the case) of the position which Colonel Baillie has placed himself by the recent publication. It is only requisite for me, in corroboration of what Mr. Ricketts advances, to assert, that there never was a circumstance which could excite a supposition of reluctance on the part of the Nuwaub Vizier in furnishing the first loan; that, on the contraction of that first loan, there was not the shadow of an intimated assurance against further recurrence; and that the difficulties represented by Lieutenant-Colonel Baillie for negotiating the second loan, were believed by me to have been imagined, with the view of his claiming merit for surmounting them. It may possibly be necessary to prove these points elsewhere.

When you were good enough to send me the printed pages, (containing an anonymous expostulation with me from a Native at Lucknow, which bore unfavourably on Lieutenant-Colonel Baillie,) and asked whether it were my wish that they should be published, I naturally thought that, through a complimentary attention, the option had been proffered to me of suppressing documents which might, in some way or other, bear hard against me. With that conception, I could not enter upon the subject. The anonymous paper, while it afforded much information relating to the affairs of Oude, was accompanied by my distinct condemnation of its calumnious inferences and distortions, so that I could not have a personal interest in its being produced.

I have the honour to be, &c. &c.

HASTINGS.

The Court (said Sir J. Doyle) have now heard the statement of the Marquis of Hastings with respect to the first loan; and I desire it to be understood, that it is to that loan only that I wish to draw the attention of the Court. Every person admits that the second advance was the result of negotiation. What I contend for is, that the first was a voluntary proposal on the part of the Nuwaub, and that it was justly so considered by the Marquis of Hastings. Having heard his Lordship's statement, I now wish that a part of the document transmitted to him by Mr. Ricketts, (and which is referred to in the letter you have just heard read,) should be laid before the



Proprietors. It may be necessary, however, for me, in the first instance, to state, that Mr. Ricketts was a Secretary to Government; and that, in the absence of Mr. Adam, he was the official organ of the noble Marquis.

[Here the Clerk commenced reading a part of the document, which disclosed names not necessarily connected with the matter immediately before the Court.]

Sir J. DOYLE.—I do not wish for the reading of any irrelevant matter; all I desire is, that such portions of the document shall be read as bear directly on the subject now under discussion. I have no wish that the names of any parties not evidently connected with the pending question, should be brought before the Court.

Mr. RIGBY.—I must object to the reading of partial extracts from documents not regularly before the Proprietors. In his quotations from documents that are laid on our table, the gallant General has given a tolerable specimen of the unfair manner in which he makes his selections; and this, I think, affords a strong ground for not allowing the gallant General to have recourse to documents which are not accessible to us. In his extract from page 1034, the gallant General has given ample proof of the truth of my assertion. In that case, he read a few lines making for his own particular point; but if the hon. Bart. had read the whole of the context, it would have operated quite the other way.

Mr. R. JACKSON.—We must all allow that it is optional with any Gentleman to take that course of opening his statement which seems most likely to ensure the object he has in view. Should it appear that the course taken was not in all respects a proper one, it would be open to such hon. Proprietors as objected to any particular parts of it, to offer their objections when the proper opportunity arrived; but it strikes me as being irregular to interrupt any Gentleman, for the purpose of dictating the line he ought to pursue. I trust, before the discussion is at an end, the learned Proprietor will point out those errors into which he seems to think that my gallant Friend has fallen.

The CHAIRMAN.—Unquestionably the gallant General is justified in having particular extracts read as parts of his speech. They are read by the Clerk as a matter of convenience to the gallant General.

Sir J. DOYLE.—I return my thanks to the hon. Chairman, for permitting the Clerk to read the extracts alluded to; and I must be permitted to say, that the attention shown to me in the present instance, is but a portion of that honourable individual's customary kindness (*Hear.*) As the hon. Proprietor (Mr. Rigby) has been pleased to interrupt me, I can only express my sincere wish that he will, in the course of the discussion, take an opportunity of answering those points in my statement, against which he may entertain any objection. Should he do so, I trust I shall be allowed the privilege of replying to his observations.

[The Clerk then read several extracts from the statement of Mr. Ricketts. It was dated the 17th of Dec. 1824, and mentioned that, in different conversations with Lieut.-Col. Baillie, full explanations were given the difficulties in which the Government was involved. Col. Baillie was, in consequence, commissioned to sound the Nuwaub Vizier, for the purpose of ascertaining whether he might be disposed to make a voluntary offer of pecuniary assistance. There were no written instructions to that effect; but the impression on the mind of Mr. Ricketts was, that Col. Baillie had made no objection whatever at the time, and that he did agree to sound the Nuwaub on this important affair. With respect to any refusal of the Nuwaub to afford pecuniary aid, Mr. Ricketts had heard nothing about it at the period mentioned; but he had some recollection of its having been stated, that the Vizier was desirous to take credit for making an offer of a peischeush to Government.]

Sir J. DOYLE.—I shall now, Sir, refer to a letter from Col. Baillie to Joseph Dart, Esq. in 1823, in which the gallant Colonel observes, "That so far was the Vizier from making an offer of a crore of rupees, or any sum, to Lord Hastings, it was obtained at his (Colonel Baillie's) earnest solicitation, and with the utmost reluctance on the part of the Nuwaub.

I hope, Sir, that the gallant Colonel will be able to explain this point to

the satisfaction of the Court. I trust that he will be able to prove its correctness, founding that proof on the documents now before us. The allegations which I have made, or which I may make hereafter, I will undertake to establish by the papers which have been produced; and I sincerely trust that the gallant Colonel will follow the example which I mean to set. If the gallant Colonel does not proceed thus, I hope I shall be acquitted of a want of courtesy, if I remain somewhat sceptical as to the gallant Colonel's statements. I shall next call the attention of the Proprietors to some other documents; but, ere I proceed to them, I cannot help remarking, that a considerable portion of the first loan advanced by the Nuwaub was directed by the Council at Calcutta to purposes quite different from those to which Lord Hastings had intended to apply it. I do not mean to insinuate that this was an improper act on the part of the Council; but it must certainly have occasioned much surprise to his Lordship, to find that, while the war was in full progress, the money originally destined to enable him to carry it on necessarily was diverted to other purposes. I have now stated the way in which the exigencies of the Company had been pointed out to the Vizier, and the very kind manner in which that Prince had tendered his offer of assistance. The fact of the voluntary offer is, in my opinion, decidedly made out by the extracts which I have read. But, Sir, I will put the business in a more decisive point of view. I will, indeed, prove, that the offer not only was free and spontaneous, but that it was recognized to be so by the Supreme Council at Calcutta, and ultimately by the Executive Body in this country. If gentlemen would turn to page 730 of the papers, they will find the following letter, addressed by the Vice-President, in Council, to Lord Hastings, then absent from Calcutta, and employed in carrying on the operation of the war against Nepal. The letter was dated "Fort William, May 9," and was signed by Messrs. Edmonstone, Leyton, and Dowdeswell.

After congratulating his Lordship on the successful issue of the negotiation with the Vizier for a second crore of rupees, and expressing their high sense of the importance of an arrangement affording such seasonable and substantial relief, they say:

The friendly and liberal spirit in which the offer of the Nawaub Vizier was made, is an additional source of gratification. We consider the amicable solicitude which the Nuwaub Vizier has manifested on this occasion, and indeed during the whole course of the war, to afford a distinguished proof of his Excellency's just and honourable attachment to the Company, and of his ardent zeal for the interest and prosperity of the British power in India, and a practical demonstration of the beneficial influence of your Lordship's personal intercourse and political transactions with the Vizier.

I shall now read, Sir, for the information of the Court, the approval, by the Executive Body, of the first loan. In that approval it was clearly admitted to be a voluntary offer on the part of the Nuwaub Vizier. The document in question was worded thus:—

We have derived great satisfaction from the communication made to us in these paragraphs, of the voluntary offer, on the part of the Vizier, of the loan of a crore of rupees; and we are sensible of the zeal for the public interests which induced the Governor-General to prevail on the Vizier subsequently to extend that amount to two crores of rupees. We consider this important aid, rendered to our finances by his Excellency, as manifesting on his part the cordial interest he feels in the prosperity of our affairs.

They concluded with expressing their approbation of the assignment of the interest on the first loan entered into with his Excellency, for the pensions guaranteed by the British Government to certain of the Nuwaub's servants and dependants, as promising to put an end to a fruitful source of debate and vexatious discussion between the Vizier and the Resident.

The Court (continued the gallant General) has now, Sir, before it the letters of the hon. Director himself; the statement of Mr. Ricketts; the letter of the Council of Calcutta, acknowledging the loan; and the letter of the Court of Directors, recognizing it as a voluntary advance, and approving of that loan and of the second. I now feel it my duty to read a document,

which I think is as curious as any document the Court ever had before it ; in which the writer not only attacks the conduct of the Governor-General and the Council, but also the proceedings of the Court of Directors, by whom the loan had been approved. The letter in question is the production of the gallant Colonel, and is addressed to Mr. Adam, who, at that period, not only was the Secretary to, but the confidential adviser of, Lord Hastings. The letter bears date March 2, 1815, and will be found at page 1030 of the printed papers. The gallant Colonel there says—"Have you seen all my recent letters to Ricketts" (another Secretary to the Governor-General) "on the vexatious subject of EXTORTION from the Vizier—as vexatious almost to me as the preceding one? Have you proposed a gift to his Excellency of the district of Khyreegurh, which appears to be highly expedient for the purpose of qualifying our EXTORTION?" I have, Sir, often heard it asserted, that we ruled India by the influence of opinion. For my own part, I think we govern that country chiefly by our military strength, and I hope we shall be able to support that position in our present contest there ; but, much as we may depend on the sense entertained of our power, I have always cherished the hope that we placed some reliance on the sense entertained of our justice and our honour. What, then, must be the opinion formed of both the one and the other by the Native Princes, when they learned, from the statement now made public by the Company's Ambassador and Resident at the Court of a Native Sovereign, that the Governor-General and his Council could commit, and the Court of Directors could approve of, "EXTORTION" on a Prince, our ally, who had no means of protecting himself? Will it add to the idea of our honour and integrity, when it was reported through India that we had exercised our authority in this most unworthy manner? Now, Sir, I will inquire how the gallant Colonel himself was affected by this statement. He has stigmatized this loan as nothing less than a vexatious extortion, while, in another part of his correspondence, he claims merit for having been the successful agent in its negotiation. He had asserted that the loan was obtained chiefly through his instrumentality. Taking this to be the fact, then it was the gallant Colonel who had been guilty of "extortion"! He was the commander-in-chief and prime agent of *extortioners*! Now, Sir, what can the Court of Directors think of the gallant Colonel's mode of describing one of their transactions with a Native Sovereign? Can they tolerate such a gross misconstruction of their conduct? It is to be hoped that the gallant Colonel will be able to supply a proper explanation of this part of his despatch. Another part of the conduct of the hon. Colonel now solicits my attention—a part which appears to me to be entirely indefensible; I mean the gallant Colonel's publication of certain private letters. I know it has been stated, that the gallant Colonel had procured the consent of Mr. Ricketts to the publication of some of those documents. The Court will have an opportunity of deciding how far this statement tallies with the fact, when I have read the letters to which I now call their attention.

[The gallant General proceeded in the first place to read a letter from Colonel Baillie to Mr. Ricketts, in which Colonel Baillie recalled to Mr. R.'s recollection a conversation which they had had together on a former occasion; in the course of which conversation, the gallant Colonel had intimated his intention of publishing some private letters that had passed between them; and it also referred to a promise which Mr. R. had made either to look over the letters himself or to send Mr. Princep for that purpose. In conclusion, Colonel Baillie requested that Mr. Princep might be suffered to look over the letters on the following Saturday. Sir J. Doyle then read a second letter addressed by Mr. Ricketts to Colonel Baillie in answer to the preceding. In it Mr. Ricketts said, that he had sent Mr. Princep to look over the private letters which it was the intention of Colonel Baillie to publish. "Lord Hastings (observed Mr. Ricketts) is out of town, and, therefore, I could have no communication with him on the subject; but, so far as I am concerned, I cannot but enter my protest against being made in any way a party to that publication."]

Now, Sir, in my opinion, this is as decided a refusal of Mr. Ricketts' consent

to publish as could be given by one gentleman to another. It was not in his power to prevent the publication because he had not the documents in his custody. But that Mr. Ricketts withheld his consent was most evident, since he had explicitly protested against being made a party to the publication in any way whatever. But now I am told it is, or will be contended, that these letters are public documents. Either private or public they must have been, and I care not which way the fact is assumed. If the documents were, indeed, of a public nature, what right had any man to remove them from his office, after he had quitted the situation in discharging the duties of which he had received them? I do not mean to resort to severe language on this occasion. Indeed, when a matter of an unpleasant nature comes before me, and I am obliged to grapple with it, if it has two handles, I always like to seize the cleanest. If, taking the cleanest handle of such a transaction, I spoke of it as it would be spoken of in common life, I might perhaps use a term that would not be legal; and, as I am anxious not to be uncivil, I will not adopt it. But, Sir, let us take the other horn of the dilemma; let us suppose that these letters were private; and then, in my mind, the matter becomes ten times worse.—(*Hear.*) It is not my intention to comment on the propriety of making use of private letters when the person who wrote them did not authorize such a step. I will leave it to the feelings of every gentleman who hears me, to describe it in his own mind by the term most appropriate to such a proceeding. I shall now, Sir, come to a conclusion. I believe I have stated sufficient to support my proposition, that the first loan (as described by the noble Marquis) was a free and spontaneous offering on the part of the Vizier, and that the second was procured by negotiation, and that it was meant to assist the Company as the lender himself stated, he being then aware of the embarrassments which pressed on the Indian Government. The gallant Colonel, whom I am willing to consider as the best of Ministers—the paragon of Residents—the most doughty of diplomatists—has asserted that this was a forced loan. Perhaps the second was forced, or, in other words, the necessity for procuring it was forced on the Indian Government by the expenditure consequent on the Nepal war, or rather forced on the Marquis of Hastings by the diversion of the first loan to other objects by his colleagues. But, surely, it will puzzle the gallant Colonel to prove, from the documents which I have read to the Court, that the first loan was not voluntary on the part of the Nuwanb. I shall now, Sir, read the resolutions which I mean to propose to the Court; and I hope an opportunity will be allowed me, that I may reply to any observations to which my statement may chance to give rise. The gallant General then read the following resolutions:—

Resolved, That it appears to this Court that the first loan obtained by the Governor-General in October 1811, was the voluntary offer of his Excellency the Nuwanb to the Company.

That the second loan was obtained by negotiation, after a candid explanation of the financial embarrassments under which the Government of Bengal at this time laboured; and was never otherwise represented by the Governor-General.

That this Court approves of the terms in which the Court of Directors conveyed its approbation of both transactions.

Mr. HUME seconded the resolutions.

Colonel BAILLIE then rose and said—If the hon Proprietor who has seconded the motion feels any desire to favour the Court with his opinion, at this moment, on the subject thus brought forward, I shall readily give way.

Mr. HUME declined saying any thing at present.

Colonel BAILLIE.—I shall proceed then, and, in my address, I shall be as brief as the nature of the case and the number of the documents to which I may feel it proper to advert will permit me. I mean, Sir, to adhere to a course as fair and candid as that (if I except a little vituperation) which was adopted by the gallant General throughout his speech. It is true some of the remarks that have been made on this subject have been very painful to my feelings; still, however, it is not in the least degree my intention to inflict the least pain on the feelings of others while addressing this Court in the vindication of my character. If, therefore, in the course of that vindication, I shall have

occasion at times to doubt the correctness of certain statements made by the gallant General, let it not be supposed that I mean to accuse him of stating intentionally that which is not borne out by the fact; I harbour no such intention; and, whenever I shall dispute his inference, I shall pursue the course which the gallant General himself has adopted. I shall ascribe any erroneous deduction rather to misapprehension than to designed injustice or predetermined illiberality. The first charge brought against me before this Court is, I find, that of having been the cause of bringing under the notice of the Proprietors the huge mass of papers which has been laid on their table. In ascribing their production to me, however, the gallant General labours under a mistake: the merit or demerit (whichever it may be) of having brought these papers forward belong not to me. To show that this is the fact, I will, before I proceed to the general question, enter into a brief detail (giving dates and places, which, if I am in error, will enable the gallant General to set me right) of matters that occurred before this volume was produced. A petition was presented, in the Session of 1822, to the House of Commons, praying that steps might be taken for the payment of a debt due to the Nuwaub Vizier of Oude. The sum claimed being of considerable magnitude, it was deemed advisable to refer the consideration of the question to a Select Committee, of which I had the honour to be nominated a member. The learned Counsel, employed by one of the parties before the Committee, did, in the commencement of their proceedings, propose to call on me to give evidence in support of some of the allegations of the petition. I demurred to give evidence of matters connected with the official situation which I had held in India; and I acted from motives, which, I trust, the Court will approve. I felt it to be my duty not to disclose matters which had been the subject of confidential communications made to me on public grounds, and acted upon by me in the conscientious discharge of a public official duty. The Committee was, however, of opinion that I ought to answer such questions as might be put to me by the learned Counsel. Anxious to avoid the displeasure of the high authority under which the Committee acted, I acquiesced, though very reluctantly. I have now a copy of the questions put to me before the Committee; and, though I am unwilling to trespass on the time of the Court, still it is necessary that I should read them. I was asked, in the first place, "Whether was there an application made through you to the Nuwaub Vizier, some short time after that period, (that of the Vizier's accession to the musnud,) for the loan of a million of money for the Company?" Mr. Serjeant Bosanquet, who was Counsel for one of the parties before the Committee, objected to this interrogatory. The Committee-room was cleared, and some discussion followed. Soon afterwards the parties were called in, and the question was repeated in this form:—"Whether in consequence of any communications between you and the Nuwaub Vizier, (relative to a loan,) you found him reluctant to lend any money to the Company?" I answered, "I must enter into some detail in order to my answers being properly understood. On the accession of the Nuwaub Vizier, an intimation was conveyed to me that he intended to make an offer of a *peishush* or *doucur* to the Company, as an acknowledgment of the assistance which he had received from that body. I at once said, that the Company required no such thing; that, however they might have assisted him, they desired no portion of his treasures."

Sir J. DOYLE inquired when this circumstance had occurred?

Colonel BAILLIE.—It occurred soon after the Nuwaub's accession, in the year 1814. I proceeded in this manner with my answer:—"On a subsequent occasion, on my calling the attention of the Nuwaub to the exigencies of the Company, with a view of obtaining his assistance, he asked, 'Why was not this made known to me on my accession, when you might have had as much as you pleased?' I answered, that the same necessity which caused the present application did not exist at that period, nor was its existence contemplated by the Company." "What was the exigency to which you alluded?"—"The Nepal war." "Did it appear to you that the Nuwaub gave the loan unwillingly?"—My answer is, "the loan of so much money by a Musulman, whose religion does not allow him to take interest for money lent, *must*

have been given with reluctance." The Court will here observe (continued Col. Baillie) from what I have even now read of my answers, that an obvious reluctance appeared on my part to disclose any thing more than I could not avoid disclosing. (*Hear.*) Indeed, my object was, as far as possible, to conceal the transactions referred to; and in what I stated I meant not to impute blame to the Marquis of Hastings, or to any other person whatever. I was next asked, "Was not a crore of rupees first mentioned?" "Yes; but the Marquis of Hastings intimated to me, that he thought that was a larger sum than he should have occasion for." I think I have now gone far enough with my evidence; but, if the Court please, the whole of it may be read. I have stated thus much, to show that my evidence (whatever it might have been) was not given in a voluntary manner, but had been given by me entirely in obedience to an authority whose power I had not the means to dispute. I had no object to attain by publishing matters of this nature; and both my duty and my inclination would have led me to suffer transactions of so delicate a description to remain secret, if nothing but my own unbiassed judgment were to be consulted on the occasion. (*Hear.*) But, Sir, with reference to the Marquis of Hastings, the case was different. That noble person might have conceived it to be his duty to advert to, and reason on, every act of his administration—and to this one amongst others—just in the way in which it happened to present itself at the moment to the mind of his Lordship. But, before I proceed farther, I must particularly advert to one part of the observations of the gallant General. When the gallant General spoke of the Summary of the administration of Lord Hastings, which had been laid before the Court of Directors, he said, that "I made a subsequent statement." This is not so; and undoubtedly the remark must have arisen from a mistake as to dates. By referring to dates, the mistake may be easily rectified. The noble Lord's "*Summary*" did not appear before the public till 1823, and my evidence before the committee was given in 1822. From this it must appear that that evidence could have had no reference to the Summary of the noble Lord. Thus the figure used by the gallant General on a former occasion was reversed. Instead of the mountain producing the mouse, it was this little mouse (the *Summary*) which had produced the huge mountain of papers for the consideration of which they were this day assembled. (*Laughter.*) I have learned (in consequence of the polite attention of the gallant General, who has furnished me with copies of the Resolutions which he intends to submit to the Court this day,) that after the motion now before the Court shall be decided on, the gallant General means to bring forward certain other propositions, which relate to other parts of my conduct. It is a source of regret to me that the gallant General has not brought the whole matter within the scope of one distinct motion. If the gallant General had taken that course, I would have explained the whole of my conduct in one statement. I then would have left the Court, confidently relying on the justice and honest decision of my constituents. (*Hear.*) As that choice has not been left to me, I must take the subject as it has been placed before me; and, for the present, restrict my comments to the Resolutions which have been read by the gallant General. Now, Sir, with respect to the loan, I contend that my description of it, as given in my evidence, is perfectly supported by the documents which are in the hands of the Proprietors. I stated that the loan was not voluntary on the part of the Nuwaub Vizier, but I did not mean to say that it was *compulsory* as opposed to the term *voluntary*. My meaning was, that the loan was not voluntary, because it had been the result of several applications, and had been obtained by persuasion. In declaring what at that time was, and still continues to be, my impression of the character of the loan, I never made use of any terms that could be construed as discreditable to the Marquis of Hastings, nor did I wish for the production of those papers to forward any view of that description. When the subject was alluded to in the House of Commons, I said, that I had been obliged to give a different view of the character of the first transaction with the Nuwaub Vizier, from that which the noble Marquis had taken. Here there was, indeed, difference of opinion; but was there any attack on the character of the noble Marquis? Was there

any attempt to depreciate or undervalue the importance of his Indian administration?—(*Hear.*) In what I said, I did not mean to assert, that the light in which the Marquis of Hastings viewed the transaction was one which he did not conscientiously believe to be just. The noble Marquis, in recounting the many great deeds he performed in India, might, most unintentionally, have passed over some of the points connected with this loan, which I, acting in a more confined sphere, having not many public acts to call to mind, and my attention being particularly called to this proceeding by the cross-examination of Counsel, could not fail to call to my recollection. Hence it was that I spoke with so much confidence (1) of the nature of the first loan from the Nuwaub. Under these circumstances, I boldly inquire of the Court, whether the statement submitted by me to the Committee of the House of Commons, though not without reluctance and hesitation, is not fully borne out by the facts of the case, as it is now incontestably proved before you? I think that I shall have little to say, in order to convince you that my statement is not only consistent in every part with itself, but also consistent with the statement made by the noble Marquis. And here let it be recollected, that when I speak of any discrepancy between the noble Marquis and myself, I speak of a discrepancy between the Summary put forth in his name and my statement; not of a discrepancy between this and the public documents which were sent home from India by the noble Marquis, and which are now among the records of the East India House. Between those public documents and that statement there is no difference; but between the statements made by the friends of the noble Marquis in this Summary, and the statement made by me before the House of Commons, there is a wide difference indeed; and I cannot admit the correctness of one word of their statements regarding these loans. Before I proceed to give a history of these loans, it will be necessary for me to account for such part of this unwieldy publication as I admit that I called for. I take upon myself the guilt, if there be any guilt in the transaction, of having caused the publication of the last three and twenty pages of it. The discrepancy of statement into which I was compelled to enter, was brought under the notice of this Court by an hon. Baronet. I was called upon to explain it; and when I was so called upon, the hon. Bart., who fills the situation of Deputy-Chairman, for reasons which he can best explain, thought it requisite, in his wisdom, to move for the production of certain documents, to prove the correctness of the views which he had always taken of this subject. That motion was intimated to the Marquis of Hastings by his friends, or he learned it by the publication of our proceedings on that day. His Lordship, in consequence, thought it necessary, or, perhaps I ought rather to say proper, in vindication of his own conduct, to call upon the Court of Directors to publish all the documents which were recorded respecting my removal from the office of Resident at Lucknow. What connexion those documents had with these loans, I, for one, profess my inability to discover, or how they were in any respect called for by any observations which I then made here. They were, however, published; and whatever my opinion may be with regard to them, to the other parts of the publication I am not inclined to attach any blame. Now let me ask the Court to consider how matters stood with regard to myself. I had gone down to my house in the country, and on my return to London, I found that Lord Hastings's

(1) This shows the degree of reliance to be placed on Colonel Baillic's representation of things. Fortunately, the Members of the Committee are on the spot, and his own relative, Sir Charles Forbes, being one of them, it is proved that the Ex-Resident, instead of speaking with "confidence," showed the utmost "diffidence," or, as it was described, "reluctance, hesitation, and ambiguity." The case was the same with his picture of the Oude transactions, in which the Marquis of Hastings was personally engaged.

The noble Marquis could discern no likeness in the Resident's reports of the conferences between them. But here Colonel Baillic contradicted himself almost in the next breath, saying, that he gave his evidence, not with "confidence," but with "hesitation."

friends, supposing that I had impeached his Lordship's veracity, had called for the publication of various documents. In those documents, it appeared that a statement of mine, which had not been recorded, was frequently referred to, but was no where given. That statement was, by my desire, subsequently published; and the publication of it ought not to be considered as a voluntary measure on my part, but as a compulsory measure, to which I was obliged to resort by the previous measures which had been taken either by Lord Hastings himself, or by his friends, with his knowledge and instrumentality. I have been accused; and to this accusation I beg leave to challenge the particular attention of the Court. I have been accused, I say, of a breach both of public and of private confidence; for the gallant General, like an able tactician, has taken both sides of the dilemma, in submitting the letters which confirmed that statement, and were intimately connected with it, to the inspection of the public. The letters, as I have before stated, were not voluntarily printed by me; they were forced from me by the measures of others; and yet, notwithstanding that circumstance, I am ready to defend the publication of them upon all the grounds of attack which have been chosen by the gallant General. First, are these letters public documents? I say, absolutely, No. They are written for public purposes, but are not intended to be publicly recorded; and for the truth of that assertion, I refer to the many Gentlemen around me, who have exercised high political functions under your Indian Government. They are like the letters, if I may take a comparison from the policy of Europe, which the Secretary of State in this country sends to his various diplomatic agents abroad, which it is well known are never recorded. It is clear, however, that a case may arrive, when, for a legitimate personal purpose, such letters may fairly be referred to. The public functionary at home, by whom the orders are issued, can record them or not, as seems best to him; but the diplomatic agent cannot record them,—he obeys them in silence, expecting that the result of his obedience to them will be advantageous to the public service, creditable to himself, and, consequently, satisfactory to those who employ him. In all the cases, at least, in which I had the honour of acting with the Marquis Wellesley, it was so. Part of these letters are, on some occasions, recorded, and, on others, suppressed; but all of them may be recorded, or all of them may be suppressed, as seems good to the Governor-General. They are entirely in his power; he can record them if he chooses, but his functionaries cannot: they can only retain them to defend their conduct, if it should happen to be attacked. Indeed, I would wish to know how a public functionary can defend himself, if he is not allowed to retain the instructions on which he is to act. He must retain them for his own justification; and if he does not, he is at the mercy of any one who may think fit to arraign his conduct, as mine has been arraigned on the present occasion. (*Hear.*) The papers, of which so much has been said by the gallant General, I could not record consistently with my duty as Resident at Lucknow; and I never would have published them, if the measures of others had not rendered their publication a measure absolutely necessary to the vindication of my own conduct and character in that situation. The observations which the gallant General has made on another part of my conduct,—I mean that with Mr. Ricketts,—is (I wish to be civil in the language I use) as gross a mis-statement as ever dropped from the tongue of man. I have already said, that the Summary placed me under the necessity of publishing the history of the loans. I mentioned this to Mr. Ricketts, and Mr. Ricketts told me,—(I wish he were present to hear what I am now going to relate),—that he wished exceedingly that that Summary had not been published. He said that he had himself remonstrated against the publication of it; that his remonstrance had been in vain; that it had appeared; and that, as it had appeared, I must necessarily take my own course. I then desired him to have the goodness to compare the copies which I had retained, with the originals. For some reason or other, he declined doing this himself, but sent his assistant, Mr. Prinsep, a gentleman well known for his literary abilities, to do it for him. Mr. Prinsep looked at their dates and their signatures, and acknowledged their authenticity. I then published them; and



I did so, because they could in no respect be considered as private letters. They ought to have been recorded, as they were referred to in Lord Hastings's minute as my private instructions. They were not recorded, and therefore could not be published with the other papers, which were ordered to be published by the vote of this Court. I had them by me, and I exercised the right, which the conduct of others had given me, to make them public. I trust, therefore, that I shall stand justified in your opinion upon this point; for I deny, in the first place, that I was at all bound to consult Mr. Ricketts about their publication; and I say, in the next place, that if I was bound to consult him, I did consult him, and after so consulting him, obtained his acquiescence to their publication. (*Hear, hear, hear.*) I come now to another part of the observations of the gallant General, to which I cannot advert without great pain, as they are connected with my deceased friend, Mr. Adam. I have been accused of publishing a private letter from Mr. Adam, without his privity and consent. Would to God that he had been in a situation in which I could have obtained them. I think, however, that a few words will get rid of this accusation for ever. I applied to Mr. Adam's brother, in London, respecting the publishing of this letter. He read over with me a great many letters of his brother, and expressed his entire acquiescence in the publication of all which were written upon purely official subjects. With regard to the letter in question, to which such peculiar reference has been made, I must say, that it was not upon the first occasion that Mr. W. Adam made any objection to the publication of it. Subsequently he did feel some hesitation; and, in conversation, he told me, that he thought that I had better defer it till the arrival of his brother in England. Accordingly I put it off, in the hope that I should have an opportunity of publishing it soon with the consent of the writer. It pleased Providence, however, that it should be otherwise. Even then, Mr. W. Adam hesitated to afford his consent to the publication of it; and his father, to whom reference was made upon the subject, intimated a wish to me that I would abstain from it. In the mean time, the letter had been given in by me, with others, to the Court of Directors. As soon as I found that the publication of it was objected to by the friends of Mr. Adam, I wrote to the Court, and entreated that they would allow me to withdraw it. The Court refused to accede to my request, and so it is that the letter now appears. Any benefit that I may derive from it I will willingly forego, rather than hear the improper motives attributed to me for the publication of it, which I know have been attributed by the tongue of malice. (*Hear, hear.*) Let me here be permitted to make a short digression, in order to justify the conduct of the late Mr. Adam. He was accused of volunteering to take part with me against your late Governor-General. I say that he never did any such thing. (*Hear.*) He took part with me, but not against the Governor-General, when I solicited him for his opinion; and it was natural for me, considering the long habits of friendship which had united us together, to be anxious to obtain an opinion from him as to the propriety of my conduct. He gave it as his opinion, that, on retiring from the situation which I had long filled, I should vindicate my proceedings to the Government. Having obtained so much from him, I asked him for another favour: I requested that, as he approved of my addressing the Government, he would also assist me in drawing up my address; and I wrote him a note, in which I told him that I would send my draft to him for his perusal, and would feel obliged to him for any corrections which he might suggest in the language and form of it. I will read you the answer I received to that note, because it will show you the distinction which he drew between the duty which he owed to a long-established friendship, and that which he owed to the Government, of which he was one of the servants.

[The hon. Director here read a letter to himself from Mr. Adam, dated Puttyghur,—1815, in which the writer declared that he felt that he should not be doing right if he took part in drawing up Colonel Baillie's statement, which might perhaps come before him in his official capacity as a servant of the Government. Indeed, the only use which he could be of to the gallant Colonel was, to mitigate the energy of his expressions, supposing them to be

at all violent. He trusted, however, that this would be unnecessary, as Colonel Baillie must be aware that no cause was ever injured by the use of moderate and temperate language.]

Now I trust that I have succeeded not only in vindicating my own character, but also that which is equally dear to me, the character of my deceased friend, from the aspersions which have unjustly been cast upon them both. Upon these points I have done all that I feel to be necessary. I will therefore now proceed to consider whether these loans deserve the character I have given of them or not, and in doing so, I am happy to say that I shall have no occasion to trespass long upon your attention. The gallant General says, that at the time when the first of these loans was negotiated, the financial embarrassments of the British Government were notoriously such, as to require assistance from the Nuwaub Vizier. But the noble Marquis, in the documents which he has placed on record, has proved the fact to have been exactly the reverse of this. (2) It will be in the recollection of the readers of this volume, that, in the month of October 1815, the Nuwaub took a journey from Lucknow to Cawnpore, with the intention of having an interview with the Governor-General. On that occasion, I went to Cawnpore along with him for the mere purpose of paying my personal respects to his Lordship. It was then that the financial difficulties of the British Government were first made known to me, and made known to me by the Governor-General himself in person. In the course of conversation, he asked my opinion as to the practicability of obtaining a temporary loan from the Nuwaub Vizier. I said to him in reply, that I had no doubt that such a measure was perfectly practicable. I added, that I wished that I had known sooner of his Lordship's desire to obtain such a loan, as it could have been managed with ease on the accession of the Nuwaub to the musnud; and I entreated his Lordship to calculate as well as he could, the utmost extent of the financial embarrassments of the Government, in order that the sum wanted as a loan, might be asked for at one application, because it was evident that if the sum then obtained should be found insufficient, great difficulty would attend a second application to the same quarter for a further supply. His Lordship replied to me, that from the best calculation which he could make upon the date, furnished him by the subordinate financial agents, 50 or 60 lacs of rupees would be necessary for his purposes; but that if a crore could be obtained handsomely, he should like it better, as he should then be completely rigged out for the war he was going to undertake. This was the substance of his Lordship's answer. I acknowledge that in clothing it in my own words, I have hurt his Lordship's language, which is always graceful and eloquent; but that I have stated the substance correctly, I am now ready to depose on oath, if it should be conceived necessary. As to the gallant General's declaration that our financial difficulties were notorious to the Vizier, I beg leave to meet it with a counter declaration that they were not. He knew nothing of them; he could know nothing of them. (3) He did not even know any thing of the Nepal war, for it was then only in its commencement, and the Government itself was hardly aware of the length to which it was likely to be protracted. So far was the Vizier from coming spontaneously forward with an offer of this loan, that I make bold to say, that he never even dreamt of such a demand being made

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(2) This is another of Colonel Baillie's extraordinary assertions. How and where is it "proved?" It is proved that Colonel Baillie's friends in the Council were obliged to seize upon the loan when obtained to pay off their old debts, so as to oblige the noble Marquis to borrow another crore. Yet, it is asserted, that they required no assistance—not even the first crore. But mark,—a few sentences in advance,—these financial difficulties are spoken of as *real*, without the least "hesitation" or "ambiguity."

(3) Could none of those numerous agents, which, as the Resident pretended, kept up a secret communication between him and the Governor-General, inform the Nuwaub of a fact of this kind? If Colonel Baillie thinks so, it is a complete "proof" that he has no belief himself in the existence of those pretended emissaries; but it does not amount to any thing like "proof" of his present assertion.

upon him, until it was first suggested to him by me. The noble Marquis has said that the first loan was a voluntary loan made to him by the Vizier. So it was, but at my suggestion. The Vizier was certainly not robbed of it; he was not even compelled to give it by force; he was only told that such a loan would be exceedingly acceptable to the British Government, and would be considered as a strong proof of his friendly disposition towards it. Thus it was that the first loan was obtained from the Nuwaub by the desire of the noble Marquis himself, as I have explicitly declared in my statement. When I say that the first loan is a voluntary loan, I beg not to be misunderstood. I do mean to say that the Vizier was so anxious to part with his money to our Government, that he said, "You may have one or two or three crores of rupees, just as you please, and may take your own time for the repayment of them."—No such thing, he referred me to his minister for the terms, and so well aware was I of the difficulty which I should have to encounter with his minister, that when he said that the money should be forthcoming, I desired him to give me a promise in writing to that effect. I thought that there might be some repentance in the night, some alteration of purpose, which would enhance the difficulty of my negotiation with the minister, when I entered upon it the next day, and I therefore obtained from him, before I left him, a written promise of accommodating the Government with a loan, which placed at its disposal a million of money. Let us now consider the terms of that loan, as they appear in my statement. The gallant General has quoted extracts from it, as if they were confessions, and not refutations on my part. Instead of being witty upon these confessions, I wish that he had done me the justice of reading the promissory note, which I contrived to obtain in the manner I have stated from the Vizier. "You mentioned yesterday *your wish* of a supply of money for the necessary charges of the Company. As far as a crore of rupees, I shall certainly furnish by way of loan, but beyond that sum is impossible; and a voucher for this sum must be given. Further particulars will be made known to you by Agha Meer." You have here, Mr. Chairman, the short communication which passed between the two contracting parties, after the principle on which they were to treat was arranged and settled. Here all appears to be friendship and amity, milk and honey; the path-way is cleared of every rugged obstruction, and is strewn with nothing but roses and lilies. So it is in all such transactions. After a treaty of peace is made between two belligerents, all subjects of difference disappear, and the difficulties of the negotiation, which led to so fortunate a result, remain in the back ground entirely out of view. (4) There were difficulties in bringing my negotiation with the Vizier to the termination to which I brought it. Those difficulties I could have stated with ease to the House of Commons; but my evidence, as reported by the shorthand writer, proves, beyond dispute, that I abstained from doing so. I submit now, that I have proved that the first loan was not compulsory, but that it was not spontaneous; that it was not offered as a reward for emancipation from a painful and a degrading thralldom; that it was not given for the promotion of any understanding, on any subject connected with the British Government, between the late and the present Vizier, who had been strangers to one another for years, on account of the fear in which the son stood of his father, and of the detestation in which the father held his son,—are points which I trust that I have established completely beyond dispute. I shall, therefore, treat them as if they were placed entirely out of the question, and shall proceed from the consideration of the first loan, which I should rather call a *persuasive* than a *voluntary* loan—for voluntary it was not, in the usual acceptance of the term—to a consideration of the second, on which I am happy to inform the Court that I do not

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(4) Here follows the most extraordinary strain of assumption ever heard of in the whole world—a number of distinct propositions of great importance, boldly advanced without a single tittle of proof having been adduced in support of them. 1st, "There were difficulties." 2d, The money was not offered as "a reward for emancipation," &c. &c. He had not uttered a single syllable to prove either of these assertions.

think it necessary for me to say much. That loan was the result of a protracted, painful, and vexatious negotiation, imposed upon me by private instructions from Lord Hastings, which, for reasons best known to himself, he forbore to communicate to the Court of Directors. As much depends upon these instructions, it will be necessary for me to state to you what they were. Mr. Ricketts, the private Secretary to the Governor-General, wrote thus to me from Moradabad:—"I am desired by his Lordship to communicate to you privately a general view of the state of our affairs at this juncture, in order to direct your attention to the possible necessity of another application to the Nuwaub Vizier for pecuniary assistance." Another application? how come these words here, if the first loan were entirely spontaneous? Another application? why, then, there must have been a prior application to the Nuwaub, and the Governor-General must have known of it; and, if there were such prior application, how can it be maintained that this loan was so voluntary, that the lender, knowing, as it were by a dream, of our exigencies, came forward, cap in hand, to request that we would permit him to accommodate us with a million of money? But Mr. Ricketts proceeds to state the difficulties arising out of the untoward progress of the war.

*Under these circumstances, it becomes highly desirable to secure, in case of need, a further supply of cash.* You mentioned, I think, when the question of a loan from the Nuwaub was first agitated, that he would, since his treasury was full, as readily have advanced two crores as he did the one crore. It is to be regretted now that the option was not secured of borrowing this second crore, should unlooked for demands on the state require it; *it may not yet be too late, however, to obtain this further assistance from the Nuwaub.*

To this communication, I answered in the following terms: "Of the delicacy of a negotiation of this nature, his Lordship and yourself must be aware; and I shall therefore at present say no more, than that my best and most zealous exertions shall be employed to ensure its success and to accomplish his Lordship's purposes." Now, I would ask the Court, how could I write thus to the Government, if the members of it were not as well aware as myself that it was no easy matter to obtain from the Nuwaub, for the second time, an accommodation of a million of money? I then proceed: "By the way, I have no recollection of the circumstance of his Excellency's former offer of a second crore of rupees. It was certainly not made to me, (*hear, hear, hear.*) nor to his Lordship distinctly in my presence. (*Hear, hear, hear.*) You told me"—(Now I beg the particular attention of the Court to the words which come next, for the gallant General quoted them to show that the Vizier had gratuitously offered to us the first loan.)—"You told me, I also remember, and so did Swinton and Adam, that at a conference, from which I was absent, his Excellency had offered the first crore as a gift, instead of a loan, and as much more as might be wanted." The gallant General says that this is a proof that the Vizier offered the first crore gratuitously, but I maintain that it is no such thing. It is merely Mr. Ricketts's report, corroborated indeed by Mr. Swinton and Mr. Adam, of what they conceived (but perhaps erroneously) the Vizier to have said. But let the Vizier speak for himself. "His written offer to me of a crore" (such were my expressions at the time) "was expressed in by no means so liberal terms;" and then I inserted, as a proof of it, the promissory note, which I have before read, and with which I shall not again trouble you. Now, with this written contradiction of the Vizier to the report of his words given by Mr. Ricketts, is it right, is it fair, is it candid, to take this paragraph in a letter of mine as an admission that his Excellency offered to the British Government a spontaneous loan? All that it proves is, that Mr. Ricketts told me so; and one man's statement of what another man said, when that statement is contradicted (5)

(5) In reply to this, it may be also asserted, 1st, That it was not one man's assertion, but the conjoint testimony of the three Secretaries of Government, and of others besides, as admitted in Col. Baillie's own letters; and, 2dly, That *never* had been contradicted by any "written declaration," or any declaration of the Nuwaub himself, about "the same time," or at any other time!!!

by a written declaration of the same individual about the same time, is of no value in point of evidence, except to show that it is no evidence at all.

But, perhaps, this second loan, if not the first, was gratuitously granted as a reward for the Vizier's emancipation from the painful and disgusting thralldom in which he was disgracefully held by the Resident. A few words will be sufficient to refute that absurd supposition. If any other proof than that which I have already stated be wanted to show the nature of the negotiation into which this second loan led me, I am happy to say that that further proof I am fully able to produce. I will show first of all, that the negotiation was, in point of fact, most arduous and vexatious; and, secondly, that it was admitted to be so even by the noble Marquis himself. The first point, to which I beg to call the attention of the Court, is to the difference of time expended in the negotiation of the two loans. The second loan was not the work of three days only, as the first was. A mere glance at the date of the different communications made to and by the Government, will convince the reader that more than a month's time was expended on it. Again, this is proved by a letter from the Governor-General's Secretary, at p. 1033. He states, that "his Lordship is most anxious to hear the result of your negotiation with the Nuwaub for further pecuniary aid, as without another crore Government may experience the most serious embarrassment." Then, after being called upon two or three times to make known to Government the result of my proceedings, I answer thus to the Secretary to Government: "I have hitherto delayed to reply to your note of the 19th ult., in the hope of being enabled to report to you that some progress was made in the negotiation for a supply of cash from the Vizier. I have at length obtained from his Excellency a direct offer of 50 lacs of rupees, in a letter addressed to Lord Moira, and I assure you, with great truth, that this offer has been obtained with a difficulty which induced me more than once to despair of the smallest success to my labours." Then I go on to refer to matters, to which I shall have occasion to allude, when the second set of resolutions shall be brought forward by the gallant General, but which I postpone mentioning at present, as irrelevant to the subject we have to discuss. Then I proceed—"The letter, which I first received for Lord Moira, conveying the offer of 50 lacs, was worded in such a manner as to exhibit the greatest reluctance in the donor instead of a voluntary gift, and the purpose of my conference this morning was to obtain an alteration of the language. It was the first and only occasion of an explicit conversation upon such a subject between his Excellency and me; for I had hitherto deemed it more delicate and proper to commit the negotiation to the Minister. His Excellency agreed to my proposal of altering the terms of his letter, which are now almost entirely to my mind; but his Excellency's manner at the conference, though it was friendly in the extreme, convinced me that he would rather keep his 50 lacs of rupees than have all the fine speeches I made to him." To this letter, which shows some of the difficulties which occur to negotiators before they settle the preliminaries of a treaty, I received from Government an answer, stating the inadequacy of a loan of 50 lacs to the exigencies of the public service; and, in consequence, I renewed my instances for the loan of a crore, having first requested that a letter should be sent from Lord Moira to the Vizier, in order to enable me to commence the negotiation for it with effect. The letter is sent me, and mark how it comes. Mr. Ricketts is again the writer. "I have received your letters of the 23d and 25th ultimo, and have shown them to Lord Moira, who has desired me to express his acknowledgments to you for your zealous exertions in endeavouring to obtain a farther supply of money from the Vizier. His Lordship is so sensible of your thorough knowledge of the Nuwaub's character, and so confident in your judgment, that he has no hesitation in adopting the opinions which you may form of the mode best calculated to secure the object in view; you will consequently receive by this dawn a letter to the Vizier, couched in the terms which you recommend. The result will prove to you the expediency or not of cancelling it and the Vizier's letter. I anxiously hope that you will propose to cancel them, since you will not do so without the acceptable offer of the second crore." Though I may, perhaps, appear to

be digressing, I think that the present is a proper opportunity for my repelling the attack which the gallant General has made upon me, for notifying my opinion of these transactions to Mr. Adam. I do not expect to hear it disputed, that if these two loans by the Vizier to our Government were voluntary, they were so on account of my negotiations, but considering the relative situation of the two parties to them, the one being the superior and protecting power, and the other the subordinate and protected; considering also the difficulties which attended the negotiation of the latter loan during all its progress; I DO THINK THAT THEY DESERVE THE TERMS WHICH I APPLIED TO THEM. *Extortion* is, I allow, a strong term by itself; but after the arduous negotiation in which I had been engaged, and which I have just explained to the Court, it was surely not too much for me to say, that it had occasioned me considerable vexation. That was all I said. "Have you seen," said I, "all my recent letters to Ricketts on the vexatious subject of extortion from the Vizier—as vexatious almost to me as the preceding one." (6) That it was vexatious, harassing, and protracted, is shown, as I before said, by the dates of the letters detailing the progress of the negotiation. It occupied me for more than a month incessantly; and though I engaged in it zealously, there are several expressions in my letters which show that it was not pleasant to my feelings to undertake it. I had no private ends to answer in it; I undertook it, because I was ordered to do so by the executive Government of this Company. The loan itself, though not spontaneous, was obtained for salutary purposes, and was applied to meet a pressing emergency. The person who furnished it, could well afford to do without it, and owed all that he possessed to the justice and magnanimity of the East India Company. "Yet," it is said, "there was one salvo, which I retained for my own justification with the Vizier," and that was the ceding to his Excellency the district of Khyreegurh. I admit that I did propose that it should be made over as a gift to his Excellency. Though its revenue did not exceed 2000 rupees a year, it was still valuable to the Vizier as hunting ground, and I therefore proposed that it should be made over to him as a free gift, and not as a compensation for any interest he might have lost on his money, by advancing us the loan. I think, then, that there was no very great crime in my using the words that I have done; and that all the vituperation which has been poured on them by the gallant Officer, might have been spared without any injury to the general effect of his speech. At any rate, I trust that after the explanation I have given, that vituperation will have little effect upon the minds of gentlemen who have heard it. As far then as these letters go, I have redeemed the promise which I formerly made you, for they have shown what the nature of the negotiation was in point of fact. I will now proceed to point out to you what opinion Lord Hastings formed and expressed of it in his financial capacity. You will find it in a letter addressed to me by the Secretary of Government, under the date of the 20th March 1815: "I am directed to acknowledge the receipt of your despatch of the 16th instant, communicating an offer on the part of his Excellency the Vizier, of a further loan of a crore of rupees to the British Government. You will receive an early communication of the Governor-General's instructions, regarding the periods to be fixed for the instalments by which the loan is to be repaid." I call the particular attention of the Court to the paragraph which comes next. "The Governor-General cannot, however, defer the expression of his high approbation of the ability and address (*loud cries of hear*) with which you

(6) If by this the hon. Director meant, that the "vexation" arose from the difficulty of obtaining it, then this goes to prove that the second loan was attended with even less difficulty than the first, because it was only "almost as vexatious." But this is too great an absurdity to be for a moment supposed. The cause of the vexation was not the "difficulty" of the task, or the "reluctance" of the Nuwaab, but the apprehensions of the Resident, that the application for a loan injured his standing at Court.

For this selfish consideration, this faithful and devoted servant pours out his abuse upon a transaction eminently calculated to promote the interests of his employers! Such is the simple fact.

have conducted the negotiation, concluded by the proposition on the part of the Vizier announced in your despatch. His Lordship ascribes the successful result of it in a high degree to your judicious and zealous efforts to impress on his Excellency's mind the exigency of the case, and the sense of his own interests, as identified with those of the Company, which should lead him to afford the aid of his resources in support of the measures of the British Government."—(*Hear, hear.*) This letter, I submit, is a proof that the noble Marquis, whatever his friends may have said for him in their published exposé of the measures of his administration, was perfectly aware of the arduous nature of the negotiation in which I was engaged, and that he was thankful to me for the zeal and labour which I displayed in bringing it to a successful issue.—(*Hear, hear.*) That his Excellency the Vizier was not pleased by the suggestion that it would evince his gratitude to the British Government to offer to it these two loans can be proved, if it be necessary, by a reference to a document which is to be found in the last page of this volume. It is a paper of requests from the Vizier to the Governor-General, which I was averse to his sending, because I thought that it would do away all the grace of the voluntary gift, which he had just been offering. I therefore wished to suppress it, but found that I could not do so without a breach of my duty. In my letter to the Secretary to Government, I thus expressed myself on the subject:—"After translating his Excellency the Vizier's paper of requests, I am doubtful of the propriety of transmitting them in an official form to you for two reasons, which I shall explain, and therefore I send them this letter. First, they are not official from his Excellency. The draft was sent to me for my opinion and advice, but as I had no observations to make on it, and should have declined making any if I had, after the sad experience which I have gotten, I did no more than promise to his Excellency that the substance of the requests should be submitted to the Governor-General without delay, and that I should recommend them to his Lordship's favourable consideration when presented to him in proper form and detail by his Excellency's minister personally. Secondly, the requests are not altogether such as I could wish them to be for the credit of his Excellency's understanding, and although he has already given in many others far less creditable to his heart and understanding than these, yet as the former were the suggestions of the doctor or the gentlemen, not his own, and were recorded too, I must add, without his revision or concurrence, I could wish him to revise these before I become the medium of recording them. Will you therefore favour me with your own opinion, and if you please, ask the opinion of Lord Moira on the general subject of the requests, and the propriety of recording them, as they stand, on suggesting alterations to his Excellency before they be delivered to the minister." What does the Court think was Lord Moira's answer? You shall hear. "There are great and obvious objections to the first article in the Vizier's paper of requests being made a matter of record, and it would be very satisfactory to his Lordship if the Vizier could be induced to expunge it." Now I think this one instance will teach the gallant General, when he talks again of the civil terms in which the Vizier and the Governor-General carried on the whole of these negotiations, to recollect that there was a medium through which the proposition of both sides passed before they were communicated to each other, and that measures, which seem very smooth and agreeable in the result, are not always so in the first instance. For what does the Court suppose was the first article in this paper of requests?—That a bond should be given to his Excellency that no further demands should be made upon him. He had furnished one loan of a crore of rupees by persuasion, and another loan to the same amount by negotiation and hard sticking, and he was anxious that a positive pledge should be given him, that he should not be called upon to furnish a third in like manner. This is proved by the words of the article itself:—"As I have now given a crore of rupees, and formerly gave a crore and eight lacs, it is impossible for me to give any more," and I trust that I shall be exempted from all future demands. Let me have satisfaction upon that point." None of your fine words;—let me have your bond, says his Excellency. "Let me have satisfaction upon that point,"—and through whom?—"through the

Resident, and let his Lordship also give assurances to the same effect to my minister in person, *that my mind may be entirely at rest.*"—(*Hear, hear*) After this declaration on the part of his Excellency, I would ask, where is the gratuitous forcing of money on the Governor-General for his kindness to his deceased father? where the spontaneous reward for his emancipation from a long and painful thralldom to the Resident at Lucknow? (7)—(*Hear, hear.*) When Mr. Ricketts speaks for his Excellency, he says one thing; but when he or his minister speaks in person to the English minister, he has no hesitation in making complaints, and in using language widely different from that which is attributed to him.—(*Hear, hear.*) I have now done; I am sorry that I have had occasion to trespass so long upon your time and attention. I hope, however, that I have not consumed it to idle purposes. I think that I have proved that these loans deserve the expressions which I have attached to them more than those which the Marquis of Hastings has bestowed upon them. That is all that I have ever asserted or that I now assert. I believe I have proved it to the complete satisfaction of every man who has heard me, and in that conviction I now sit down.—(*Hear, hear, and considerable cheering*) (8)

Sir JOHN DOYLE.—I rise in explanation, Mr. Chairman, and hope you will indulge me with a hearing for a few moments. The hon. Director certainly did state, that he had got the permission of Mr. W. Adam to publish and print all the letters of his brother to him upon official subjects. Now, I read to you Mr. Wilham Adam's dissent from such a measure. But further, I have the authority of Mr. Prinsep for saying, that he gave no assent to it. I received from that gentleman, the other morning, a note to this effect: "For my part, I have nothing to do but to repeat my dissent to the publication of any papers, and, more especially, to the publication of any which were not intended to be publicly recorded." That note he is ready to authenticate, and to declare that he made such a representation to the hon. Director. I have only to add further—(*Cries of "Spoke, spoke, this is not explanation;" which created some confusion.*) I have only to add further, that the way in which I remember the passage in Col. Baillie's letter to Mr. Ricketts, respecting his Excellency's offer of a crore of rupees as a gift instead of a loan, is, that he says, "You told me of it, as did also Swinton and Adam." Therefore the report of the conversation between his Excellency and the Governor-General, was not, as it would appear from the statement of the hon. Director, the mere single report of Mr. Ricketts, but the report of Mr. Ricketts corroborated by his two friends, Mr. Swinton and Mr. Adam. I think that such evidence is sufficient to establish the point which I asserted in my speech. (*Spoke, spoke; this is not explanation.*) [The gallant General, in consequence of the outcry, sat down.]

Mr. ELLIS rose for the purpose of proposing an amendment to the Resolution which had been put from the Chair. In proposing it, he begged leave to state that, though he thought the gallant General had, in some respects,

(7) We shall give an answer to these questions, and a more conclusive one than it will be pleasant for the hon. Director or his friends to read. The expressions of Lord Hastings referred to, apply particularly to the *first* loan; the documents quoted by Colonel Baillie apply to the *second*. As these are of a date many months posterior, they cannot show the state of the Nawaub's mind at the time he *did* make the spontaneous offer of a crore of rupees. During the interval, he had completely failed in his attempt to effect his emancipation from the thralldom of the Resident; therefore could no longer make spontaneous offers of money with that view. Hence his reluctance to advance any sum at all!

By this period it is evident that the aspect of affairs was totally changed. The requisition of a second crore of rupees afforded the Nawaub reason to fear that successive drafts of this kind might entirely exhaust his treasury; and that what he had done at first most willingly might be drawn into a precedent for his ruin. The request of an assurance to the contrary was, therefore, now most reasonable, as the late loan "extorted" by Lord Amherst fully proves.

(8) These "cheerers" knew little or nothing of the matter, which we may safely say was not at all understood by a dozen persons in the Court.



borne too hardly on the hon. Director who had just sat down, he still concurred with him in the general substance of the Resolution which he had submitted to the Court. The Amendment he had to suggest, was rather a verbal than a substantial Amendment; it was to substitute in the first Resolution the words "readily acceded to," instead of "voluntarily offered," by his Excellency the Nuwaub Vizier. He did not think that the gallant General had succeeded in showing that the first loan had been voluntarily offered to the British Government; but, on the other hand, he was of opinion that the hon. Director had failed in proving that there was any difficulty in obtaining it. It appeared that his Excellency readily acceded to it when it was proposed; and he considered the paper, on which the hon. Director rested so much of his argument, as nothing more than a document putting into a written and tangible form the proposition which had been suggested by the hon. Director to his Excellency, in the course of conversation. He likewise was of opinion, that the demand of a bond from the Governor-General for the amount of the money advanced by his Excellency, did not show any difficulty on the part of his Excellency to advance it. The object of the Summary published by the noble Marquis, was to show that there had been no extortion used, no compulsion employed, to make the Native Princes advance loans to the British Government during his administration; and he must say, with regard to the loans advanced by his Excellency the Vizier, it did appear that there were no grounds for applying to them the term or charge of extortion. Indeed, he gave the hon. Director credit for feelings which would not permit him to become the agent of extortion; he conceived him to be a man of too high character to have valued his situation of Resident at a straw in comparison with his honour, which he must have stained, had he lent himself to a measure which, if it were such as he represented it to be, was not less contrary to the dictates of sound policy, than it was to the dictates of moral honesty. For his own part, he (Mr. Ellis) believed that the letter in which the term "extortion" was used, was written under feelings of exasperation excited by other causes, and of exasperation which did not much commend the writer of it; for he could not see by what process of reasoning he could presume to call either the first or second loan made to the British Government by the Nuwaub, the produce of extortion. A difference of opinion might, perhaps, exist as to the degree of pressure which was applied to the Nuwaub; but he thought that nobody could justly affirm that it was such a degree as deserved to be characterized by the word "extortion." It was not unlike the Native character to suppose, that offers of money made, in the first instance, with perfect good will, and even voluntarily, would be converted, in future times, into precedents for demands of more money; and it was to a notion of that kind, in his (Mr. Ellis's) opinion, that the Nuwaub alluded in the first article of his paper of requests, when he desired to have a bond that no further demands should be made upon him. The objection which the hon. Director had wrapped up in the word "month," applied to the second loan, and not to the first. He believed that not more than three days were necessary to arrange the first, which certainly proved that no great aversion to it had been entertained by the person who advanced it. He thought that it was an unquestionable fact, that in the interview which had taken place at Cawnpore, between the Nuwaub and Lord Hastings, the former had offered a crore of rupees as a gift to the English Government; and if that were so, then his Lordship was justified in making application to him for a loan to the same amount. Indeed, he must again repeat, that on the face of these papers there was nothing in the second transaction with the Nuwaub which deserved the character of extortion. It was argued that he was unwilling to make the second loan at all, because he proposed to lend the English Government only 50 lacs of rupees, instead of the 100 lacs which he wanted. But he (Mr. Ellis) did not think there was much weight in that argument. Perhaps the Nuwaub did not expect to be called on for a second loan so soon after the first—perhaps he proposed fifty lacs instead of a crore, because he wished to husband his resources. When a man asked an individual to lend him 10,000*l.*, who replied that he would only lend him 5000*l.*, was it fair to argue that, because he wished to

limit his accommodation to half the sum asked, he was unwilling to afford accommodation at all? Certainly not. Gentlemen had therefore no right to infer that there was a lack of will to accommodate the English Government on the part of the Nuwaub, because he only offered them a loan of fifty lacs of rupees, when he said that a crore was necessary to supply its wants. There was no part of the Nuwaub's conduct which evinced that he felt the call upon him to assist the British Government as an act of extortion. He had every motive of personal gratitude to the British Government for the ease with which he had succeeded to the musnud on the death of his father; and as he had plenty of money in his treasury, it was not unnatural that he should be willing to lend it upon the usual securities to the East-India Company, which had been to him both a friend and a benefactor. The hon. Director had, in his (Mr. Ellis's) opinion, fully established the point, that he had not brought his subject gratuitously before the notice of the House of Commons. The statement which he had made proved, beyond dispute, that he had been compelled to do so, and he was therefore acquitted of all blame upon that account. He did not however appear to have taken the same view of these loans before the House of Commons that he did afterwards. In his evidence before the Committee, he nowhere used the term extortion. That expression seemed as if it was wrung from him by a feeling that the Marquis of Hastings was greatly indebted to him for the services which he had rendered to the English Government at Lucknow, and that he had not testified to him as sufficiently deep sense of their value and importance. The honourable Gentleman then made a short recapitulation of his arguments, and concluded by moving the verbal Amendment he had formerly proposed.

Sir CHARLES FORBES. In rising to second the Amendment, which has just been proposed by the hon. Proprietor, I cannot but congratulate the Court upon his appearance amongst us. I feel it my duty, in the first instance, to bear my testimony to the accuracy of the statement made by the hon. Director, whom I have the honour to call my relative and friend, respecting what occurred before the Committee of the House of Commons. Undoubtedly he gave his evidence to that Committee, as he has just declared, with great reluctance, and I have no doubt that my honourable Friend, the member for Aberdeen, who was also on that Committee, will bear his testimony to that fact with the utmost satisfaction. I regret, however, that the hon. Director did not deal as candidly with that Committee as he has done with this Court; and I could have wished that his answers had been given as fairly and as readily to its questions as they have been this day given to the questions of the honourable and gallant General. I must be permitted, with that candour which I always endeavour to observe upon all occasions, no matter whose interests are implicated, whether those of a stranger, or those of a dear and near relation—I must be permitted, I say, with that candour to remark, that the hon. Director gave his answers to the Committee with such hesitation, unwillingness, and ambiguity, as to convey an impression not only to my mind, but to the mind of other members of it, that more was left behind the curtain than that which was so reluctantly brought to light. That, I repeat, was the impression on my mind, and it led me to believe that the discrepancy between the honourable Director and the noble Marquis was much greater than it now appears to be, even by the statement of the hon. Director himself. For the discrepancy, in plain English, amounts only to this—that instead of the first loan being a “spontaneous” (9) loan, as it is stated to have been in the Summary of the noble Marquis, it was a loan made upon a suggestion, emanating undoubtedly from the Governor-Ge-

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(9) Lord Hastings's statement in his Summary is not that the loan was “spontaneous,” but the offer of a gift, which was converted into a loan. The exact expressions are, that the Nuwaub “came forward with a spontaneous offer of a crore of rupees, which I declined as a pension, or tribute on his accession to the sovereignty of Oude, but accepted as a loan for the Honourable Company.” If there be in this the slightest misstatement, or shade of misrepresentation, we should like to see it pointed out.

neral, and communicated by the hon. Director to the Nuwaub, that the offer of it would be an acceptable measure to the British Government. Now the Nuwaub has stated somewhere in this volume of papers by which we are deluged—(a *laugh*)—I cannot pretend to point out the place—that had he, on his succession to the mu nud, supposed that such a sum of money would have been acceptable to the Governor-General, he would gladly have presented it to him as a gift. Now, if he would have given the Governor General a crore of rupees upon that occasion, it is not unreasonable to suppose that he would not have had much hesitation in acceding to a crore of rupees, when he understood that it would be accepted as a loan, though it would never be accepted as a gift. I therefore agree with the Amendment, that the first loan was voluntarily acceded to by his Excellency the Nuwaub Vizier. With regard to the second loan, not one word appears to me to be necessary. All parties are agreed about it, and no doubt the hon. Director had some difficulty in obtaining a second loan so soon after he had obtained a first; for it was only natural that the Nuwaub should wish to be assured, that after he had furnished a second loan, he should not be instantly called upon to furnish a third. I believe intelligence has been received from India, that the Nuwaub has lately accommodated us with a third loan; and I can assure the Court, that I am on various accounts very happy to hear that he has done so. I consider it to be highly politic in your Government in India to obtain by honourable means as much assistance as they can in the way of loans from the Native Princes. The greater interest that they can give those Princes in the stability of your Government, the more stable will it become; and I wish that it would seek to establish itself as deeply in the hearts, as it has established itself in the purses, of the natives of India. I believe that the exasperation which the hon. Director allowed himself to display against the Marquis of Hastings arose from this circumstance, that he did not find himself so important a man at the Court of Oude, after the arrival of the Marquis of Hastings in India, as he had felt himself to be before. I believe that the soreness caused by that exasperation was very natural in a man who had been long accustomed to exercise absolute power, and who was suddenly restricted in the use of it; for, from every thing that I have both heard and read upon the subject, it appears that the hon. Director was not only the Resident, but even the autocrat of Oude, and that he looked with extreme jealousy on any interference with the authority which he had contrived to invest himself with there. Do we not find that in one of his letters he uses this singular expression, that the Governor General had *presumed* to have an interview with the Nuwaub of Oude, at which he, the Resident, was not permitted to be present? (10) (*Cries of "No, no, point it out."*) Those words, I am sure, have caught my eye somewhere, as I turned over this huge volume, (*hear, hear*;) but I cannot now say where. In alluding to them, I am not disposed at all to say that in the conduct of the hon. Director there has been any exception to the rule of conduct pursued by his brother Residents. On the contrary, I am afraid that his conduct was but too consistent with that rule. I believe it is a general rule that the Residents are the real sovereigns at the Courts to which they are sent, backed as they are by subsidiary bayonets, liable to be turned at a moment's notice against the unfortunate power who dares to dispute their wishes, or to call in question their unlimited authority. On the present occasion, I think that it is highly to the honour of the Marquis of Hastings that he acted towards the Nuwaub of Oude in the manner which it

(10) If the word "presumed" was not used, which we cannot assert or deny, other terms were employed which expressed in a manner equally strong, that the Resident felt his dignity insulted by the exclusion: He "was *not typed* and surprised beyond measure," &c. (Oude Papers, p. 953.) Again, he says that the conference was "*indirectly and irregularly* obtained from which the Resident was excluded," (p. 1028, an insinuation, apparently, that it involved a far deeper guilt than that of presumption; a *summe*, we must in justice add, for which, like the rest of the insinuated charges against Lord Hastings, there does not appear to be the least foundation.

is in evidence that he did act. His conduct was equally honest, high-minded, and magnanimous. (*Hear, hear.*) I wish that I could think that he had acted with the same simplicity and magnanimity towards his Highness the Peishwa. That is not, however, the question at present before the Court. When it is, I shall express my opinion upon it as candidly and explicitly as I have done upon the present occasion. I may, perhaps, disapprove of his proceedings towards that prince, but I have no hesitation in declaring it to be my opinion, that in the whole of these negotiations with the Nuwanob of Oude the noble Marquis is entitled to that credit which he has received on all hands from the Court; and I think that the more his administration is examined, his motives sifted, and his plans developed, the more creditable will they be to his character and conduct. (*Hear, hear.*) I only wish that his Lordship had gone to Poonah himself, instead of listening to the representations of the Resident; for I am convinced that if he had, it would have been better for all parties. (*Hear.*) I trust, however, that the example set by the noble Marquis will be followed by all future Governor-Generals, and that, like him, they will make a point of personally visiting the Native Princes of India. Why should not the Governor-General visit every part of the great empire which is intrusted to his rule? Why should he confine himself to mere drives between Calcutta and that place whose name I almost shudder to mention,—Barrackpore? Why should he not go to Bombay and superintend in person the affairs of that Presidency? Why should he not hear with his own ears the complaints of the Native Princes—I do not call them Sovereigns, for they are no longer so—and examine into the truth and justice of them? (*Hear, hear.*) I have now nothing further to say than this, that had the hon. Director given half the explanation to the House of Commons which he has this day given to us, I should have been perfectly satisfied as to the character of these loans. Nay, if when I had called for these papers he had given one-tenth part of the explanation we have just heard, I should have been content; and as far as I am concerned, nothing more would have been heard about them. The manner in which these papers were laid before the Court has been already explained, and though the printing of them may have cost us a large sum of money, I am of opinion that it has been well expended, in consequence of the light which they have thrown upon our internal administration of India. They will be handed down to posterity as proofs of the superintendence which we exercised over it, and our labours of this day will be viewed with admiration and gratitude by generations yet unborn in India. What further resolutions the gallant General may have to propose, I cannot pretend to anticipate. If it be intended to move a vote of thanks to the Marquis of Hastings for his conduct in these Oude transactions, I for one shall have no objection to grant it; but if it be intended to move a vote of reprobation upon the hon. Director, I must say that I cannot see any just grounds for supporting it. I hope, however, that no such ulterior resolution is contemplated in any quarter, and that our labours will terminate with what has already been proposed this day; for sure I am that nothing has been said in any quarter of the Court which can be considered as reflecting discredit, in the slightest degree, upon either the motives, the conduct, or the character of the Marquis of Hastings. —(*Hear, hear.*)

Colonel SMITH expressed disapproval of the manner in which subsidiary states in India were conducted. He thought that Col. Baillie had acted from the most honourable principles, but his conduct had been extremely arbitrary towards the Vizier, and therefore Lord Hastings very properly removed him from his situation.

Mr. TRANT said, that he had some share in the management of the Vizier's finances at the time the second loan was raised; but no circumstances came under his observation which induced him to suppose that there was anything like compulsion in the operation. The Vizier had voluntarily offered to raise a body of troops to co-operate with our forces, the expense of which would have amounted to nearly as much as the loan. It seemed therefore surprising that he should have been so unwilling as was represented to furnish the loan.

Dr. GILCHRIST held the conduct of Col. Baillie to be perfectly blameless. Any man in his situation would have done as he had done. He was glad that the question had been discussed in so open a manner. It would show the public that they were not afraid to have the conduct of their servants in India made the subject of inquiry.

Mr. HUME said, that if the hon. Director (Col. Baillie) had stated on a former occasion only a tenth part of what he had that day said, the friends of the Marquis of Hastings would not have felt it necessary to summon the Court that day. The result of that day's proceedings was perfectly satisfactory to the character of Lord Hastings, and proved that the loans were very far from meriting the epithet of "extortive" which had been applied to them. The gallant Director and the noble Marquis came out of the transaction equally free from blame. He did not know that it was necessary to press the motion. The only doubt he had as to the propriety of withdrawing it, was, that as nothing would appear on the Journals, although the Court had been specially summoned to consider the question, a bad construction might be placed upon that circumstance. The motion did nothing more than express the approbation of the Court of the conduct of the Government, and therefore he hoped that it might be allowed to stand.

Mr. PETER MURK objected to the passing of the motion, and moved that the Court do adjourn.

Mr. RIGBY seconded this motion.

Mr. EDMONDSON said, that allusion having been made to the manner in which part of the first loan had been applied by the Council, he begged to state, that if it had not been applied in the way mentioned, the affairs of Government would have been most extensively deranged.

Mr. R. JACKSON supported the original motion.

Sir J. SEWELL was of opinion, that under all circumstances, the best course the Court could pursue was to proceed no further with the question. They were all satisfied with the conduct of Lord Hastings, and were persuaded that if he had extorted the loans from the Vizier, he had done so from patriotic motives, and for the advantage of his country. (H)

Mr. TWISING supported the motion for adjournment.

Captain MAXFIELD supported the original motion.

Sir J. DOYLE reprehended, in severe terms, the conduct of Sir J. Sewell, who, in his observations, had imputed to Lord Hastings the very offence which it had been the object of his friends in calling the Court to free his character from. — (*Hear*). He could scarcely suppose that the Chairman heard the observations of the learned Proprietor, otherwise he must have felt it his duty to call him to order.

The CHAIRMAN then put the question, and the motion of adjournment was carried by a large majority; or, in other words, the Court resolved that no decision should be given on the question before them!

(H) Most righteous judge! A Daniel come to judgment! "If the Marquis of Hastings was guilty of robbery and extortion, as we are all satisfied it was for our benefit, surely we shall never blame him for it." Verily, a second Daniel! Having uttered these sentiments, the learned Judge walked off, satisfied, that for one day he had done ample honour to his own reputation and to the India House. But a gallant General (Sir John Doyle) ran after him to bring him back to the field, — not to claim his assistance, but to let him hear the reproaches which his speech deserved; and, on the part of the Marquis of Hastings, renounce such unworthy aid:

*Nun tali auxilio nec defensoribus istis.*

## CIVIL AND MILITARY INTELLIGENCE.

## CALCUTTA.

## CIVIL AND ECCLESIASTICAL APPOINTMENTS.

*Fort William July 29, 1825*—Mr. Amslie, Esq. to be Agent of the Gov.-Gen. in Bundelcund.—Aug. 4. Mr. W. Lowther, Judge of Zillah Chittagong; Mr. W. Blackburne, Magistrate of do.; Mr. J. B. Briscoe, Collector of Purneah; Mr. J. S. Clarke, Assist. in the Office of the Secretary to the Board of Rev. in the Lower Provinces.—11. Capt. W. G. Mackenzie, 5th N. I., Resident at Malacca; Mr. T. B. Beale, Assist. to the Magistrate and to the Collector of Furruckabad.—12. Mr. T. C. Robertson to be Agent to the Gov. Gen. on the South East Frontier, and Commiss. in Arracan.—26. Sir C. T. Metcalfe, Bart., Resident and Commis. in Delhi, and Agent to the Gov.-Gen. for the States of Rajpootana; Mr. W. B. Marry, Resident at Hyderabad; Mr. G. Wellesley, Resident at Indore, and Agent for the Gov.-Gen. for the Affairs of Malwa; Lieut.-Col. J. Delamaine, Polit. Agent in Nimar; Mr. A. Edmonstone, Ext. Assist. to the Resident at Hyderabad; Major W. G. A. Fielding, 1st Assist. to the Resident at Gwalior; Capt. J. D. Dyke, 2d Assist. to do. do.—Sept. 8. Mr. C. Barwell to be Superintendent of Police for the Divisions of Calcutta, Dacca, Moorshedabad, and Patna, and Chief Magist. of Calcutta; Mr. S. T. Cuthbert, Judge and Magist. of Sarun; Mr. J. Master, do. do. of Suburbs of Calcutta, and Superintendent of the Jail at Allypore; Mr. H. Moore, Judge and Magist. of the 24 Pergunnahs; Mr. W. H. Benson, Register of the Civil Court in the North Division of Bundelcund; Rev. T. Robertson, District Chaplain at Bareilly; Rev. J. Whiting, District Chaplain at Cuttack.

## MADRAS.

*Fort St. George, Aug. 19*—Mr. R. Rogers to be Register to the Provincial Court of Appeal and Circuit for the South. Div.—Sept. 23. Rev. E. P. Lewis to be Military Chaplain at Nagpore.

## BOMBAY.

*Bombay Castle, Aug. 19*—Rev. F. Mainwaring to the charge of the Clerical Duties in the Harbour.—Sept. 5. Rev. C. Jackson, LL.D., to officiate as Chaplain of Kaira and Ahm-dabad, in the room of the Rev. A. Goode, retn. to Poonah.—15. Mr. T. H. Binny, Assist. Register to the Court of Adawlut, o Surat.—20. Mr. E. Fawcett to be Assist. to the Register at Poonah.

## MARINE APPOINTMENTS.

*Bombay Castle, Sept. 5*—Lieut. J. J. Robins to be Assist. to the Superintendent of Marine.

## CALCUTTA.

## MILITARY APPOINTMENTS.

*Head Quarters, Aug. 1*—Lieut. T. Smith to act as Adj., v. Capt. Phillips, prom.; Lieut. Robt. to act as Adj. to the 26th N. I.; Lieut. Holmes to act as do. to the right wing of the 24th N. I., during the absence of Lieut. Platt.—3d. Lieut. P. Gerard to officiate as Adj. to the 1st Nusseree Batt. during the absence of Lieut. Nicholson; Lieut. E. M. Orr to act as Interp. and Quarterm. to the 58th N. I., v. Wilhaus, transferred to the 2d ext. regt. of N. I., temp. arrang.; Capt. Campbell to act as do. do. to the 21st N. I. v. Simmonds, prom. do.; Lieut. Tweedie to act as Adj.—4. Lieut. Nicolay to act as do. to the 36th N. I. until the arrival of Lieut. Troup; Ens. G. Hamblin to join the 53 regt. at Kurnaul, to which he is permanently appointed; Lieut. N. Jones to officiate as Dep. Judge Advoc. Gen. in Assam; Lieut. R. F. Dougan, 2d extra regt. Lt. Cav. to be Adj.; Lieut. R. Stewart, 6th N. I., to be Interp. and Quarterm. v. Farquharson, rem. to 6th extra regt.; Lieut. J. Hay, 5th N. I., to be do. do.; Lieut. I. Smith, 67th N. I., to be Adj.; Lieut. G. Bliff to be Interp. and Quarterm. v. Brev. Capt. McMahon, prom.; Lieut. R. Macdonald, 1st extra regt. N. I., to be Adj.; Lieut. R. Codrington, 49th regt., to be Major of Brigade to the Lt. Inf. Brig. serving in Arracan.—8. Lieut. G.

Ress, 26th N. I., to act as Adj. to the Mug Levy, during the absence of Lieut. Fairhead; Lieut. Cornish, Dep. Judge Adv. Gen., is appointed to the western Div.—9. Capt. E. P. Gowan, Com. of Ordnance, appointed to the Cawnpore Magazine; Capt. Cartwright, do. do. to the Expense Magazine; Assist. Commiss.-Gen. Bachman to the Allahabad Magazine; Dep. Commiss. W. Caxton to the Nussereabad do.; Dep. Assist. Commiss. P. Carey to the Chunar do.; Dep. Assist. Commiss. E. Parsons to the Agra do.—10. Lieut. D. Sin-pou, 29th N. I., to be Adj. v. Maxwell, prom.; Lieut. G. Gibb, 34th N. I., to be do. v. Croft, prom.; Lieut. D. Thompson, 36th N. I., to be do. v. Brev. Capt. Phillips; Lieut. F. Candy, 64th N. I., (now Adj.) to be Interp. and Quarterm., v. Pollock, rem. to the 3d extra regt. N. I.; Lieut. A. Wilson to be Adj.; Lieut. Davil, 67th N. I., to be do. to the Dinapore Local Batt., temp. arrang.; Lieut. Bingley, of the Horse Brig., to act as Adj. and Quarterm. to the Artillery at Kurnaul, to do duty with the 4th Troop 3d Brig.—Sept. 2. Major W. G. A. Felding, 8th Lt. Cav., to be 1st Assist. to the Resident at Gwalior, and Superintend. of Dowlat Rao Scindiah's Contingent; Capt. J. D. Dyke, 4th Lt. Cav., to be 2d Assist. to the Resident of Gwalior; Capt. O. Stubbs, 44th N. I., to be 2d Officer with the Contingent.—5. Lieut. the Hon. H. Gordon, 23d N. I., to be Aide-de-Camp on his Lordship's personal Staff.

## GENERAL ORDER.

*Fort William*, August.—The Governor-General in Council is pleased to direct that the squadron of Rungapore Local Horse, serving in Sangor, be placed from the 1st instant on the same footing with respect to pay in their relative ranks as the other corps of irregular horse.

## PROMOTIONS.

*Fort William*, August 5, 1825.—*Infantry*. Lieut.-Col. W. Burgh to be Lieut.-Colonel-Commandant, v. Sir D. Ochterlony, bart. dec.; Major C. Ryan to be Lieut.-Colonel.

*12th Regt. N. I.* Capt. A. M<sup>c</sup>Leod to be Major-Brevet; Capt. T. Lamb to Capt. of a company; Ensign the hon. R. V. Powys to be Lieutenant.

*24th Regt. N. I.* Lieut. W. K. Terraneau to be Captain of a Company; Ensign W. Mackintosh to be Lieutenant.

*40th Regt. N. I.* Ensign Collins to be Lieut., v. Pilgrim, dec.

*42d Regt. N. I.* Ensign C. Campbell to be Lieut. v. Hutchinson, dec.

## EXCHANGE OF REGIMENTS.

*Head Quarters*, August 4th.—Ensigns A. Lee and W. Jones are permitted to exchange regiments, the former is removed to the 31st, and the latter to the 66th N. I.

## MEDICAL APPOINTMENTS.

*Head Quarters*, July 30.—Assist. Surg. Harrison to proceed to Arracan, and place himself under the orders of the Superintendent Surgeon. Surgeon Harding is appointed to the Artillery at Cawnpore.—Aug. 1. Office. Assist. Surg. Barker to the Med. charge of the Detach. at Lobargong.—2d. Surg. Phillips to do duty with the 67th N. I.; Mr. A. Beattie temp. to do duty as an Assist. Surg.; Assist. Surg. Kelly, temp. to do duty with the 1st extra regt. N. I.—10. Assist. Surg. Hardie to proceed to Nussereabad and to do duty with the Artill. at that station; Assist. Surg. Puller to do duty with the troops in Arracan; Surg. G. O. Gardner to do duty with the 20th N. I. at Barrackpore.—12. Assist. Surg. W. Twining to officiate a 2d permanent Assist. to the Pres. Gen. Hosp., v. Jackson; Surg. Savage to be Pres. Surg., v. Proctor dec.

## MEDICAL REMOVALS AND POSTINGS.

*Head Quarters*, August 10.—Surg. Hough, from the Artill. at Cawnpore, to the 2d N. I.; Assist.-Surg. Chartes, from the 2d regt. to the 53d N. I.; Assist.-Surg. Polsgrove, from the 53d N. I., to the Sirmoor Batt; Assist.-Surg. B. Wilson, doing duty with the latter, to the Artillery at Kurnaul; Assist. Surg. Buchan to the Mhowarra Local Batt; Assist.-Surg. W. Miller to the 42d N. I.; Assist.-Surg. Steunhouse, to join the extra regt., to which he stands posted.

FURLONGHS.

*Head Quarters*, August 11.—Lieutenant C. Burnett, 2th N. I., to Prince of Wales' Island for health.—12. Lieut. A. Tweedale, 4th extra regt. N. I., to Europe for do.—19. Lieut.-Col.-Comm. J. M. Johnson, 30th N. I., to do. for do.; Capt. A. M'Mahon, 67th N. I., to do. for do.

MADRAS.

MILITARY APPOINTMENTS.

*Fort St. George*, August 12, 1825.—Lieut. J. N. R. Campbell to be Persian Interpreter to the H. Q. of the Army; Lieut. E. H. Raymond, 2th L. C., to be Quartermaster, Interpreter, and Paym.; Lieut. T. McLehian, 33d N. I., to be do. do. do. 16. Lieut. J. Campbell, 4th N. I., to be Postm. to the Lt. Field Div. of the Hyderabad Subs. Force.—17. Ensigns C. Newman and H. Colbeck, to do duty with the 33d N. I.—19. Lieut. J. Johnstone, 3d L. C., to be Quarterm., Interpreter, and Paym.; Ens. J. Forbes, 20th N. I., to be do. do. do.; Capt. R. L. Hargreaves, 5th L. C., to be Assist. in the Quarterm.-Gen. Department.—September 6. Lieut. J. Richardson, 16th N. I., to be Quarterm., Interpreter, and Paym.; Lieut. W. E. Elliott to be Adjut.; Capt. R. Murcott, 36th N. I., to act as Aide-de-Camp to the Officer commanding the Army in Chief; Lieut. H. Inglis, 2d L. C., to be Quarterm., Interpreter, and Paymaster to that corps.—27. Lieut. J. R. Syers, 5th N. I., to be Quarterm., Interpreter, and Paymaster; Lieut. F. B. White, 16th N. I., to be Adjut.; Ens. G. Woodfall, 1st N. I., to be Quarterm., Interpreter, and Paym.; Capt. J. Tod, 33d N. I., to be Paym. at Rangoon; Capt. G. Norman, 9th N. I., to be Dep.-Paym. to the Madras Force in Ava; Capt. A. Wilson, 10th N. I., to be Assist.-Superint. at Rangoon.

PROMOTIONS.

*Fort St. George*, September 23, 1825.—*Engineers*. Sen. 1st Lieut. H. C. Cotton to be Capt., v. Proby, dec.

1st L. Cav. Cornet T. A. A. Munsey to be Lieut., v. Alexander, resigned.

2d L. Cav. Lieut. J. M. Mason, to be Brev. Capt.

8th L. Cav. Cornet J. E. Watts to be Lieut., v. Harris, dec.

1st Eur. Regt. Ens. W. J. Manning to be Lieut., v. Greene, dec.

*Infantry*. Sen. Lieut.-Col. J. Vicq to be Lieut.-Col.-Comm.; Lieut.-Gen. D. McNeale to be placed on the Sen. List; 2d Lieuts. W. G. Nugent, C. E. Faber, and C. G. Geun, to be 1st Lieuts.

16th N. I. Sen. Lieut. C. Walsh to be Capt., Ens. C. A. Moore to be Lieut., v. Howell, dec.; Lieut. J. K. Luard to be Capt., Ens. W. Cooke to be Lieut., v. Randall, dec.

18th N. I. Ens. M. White to be Lieut., v. Bradley, dec.

23d N. I. Lieut. C. H. Gibb to be Brev. Capt.

25th N. I. Ens. J. Mann, to be Lieut., v. Duff, dec.

29th N. I. Major D. C. Smith to be Lieut.-Col., v. Swayne, inv.

36th N. I. Capt. A. Cook to be Major; Lieutenant W. J. Butterworth to be Capt.; Ens. J. Willis to be Lieut.

43d N. I. Ens. C. P. Moore to be Lieut., v. Taynton, dec.

44th N. I. Ens. W. S. Rumey to be Lieut., v. Brownlow, dec.

ARTILLERY.

*Fort St. George*, Aug. 19, 1825.—Col. Sir J. Sinclair, Bart. to be Comm.; Sen. 1st Lieut. R. J. Seton to be Captain, vice Warre.

1st Horse Brig. Lieut. W. Brook to be Adjut., subs. app. Superint. of the Rocket Estab. at the H. Q. of Artil.; Lieut. J. Pinchard to be Quartermaster, Interpreter, and Paymaster.

2d Brig. Lieut. C. Taylor to be Adjut.; Lieut. C. Hyslop to be Quarterm., Interpreter, and Paym.

1st Batt. of 2d Brig. Lieut. J. Anderson to be Adjut., subs. app. Quarterm., Interpreter, and Paym.; Lieut. C. Grant to be Adjut.

2d Batt. Lieut. J. A. Ditt to be Adjut.

3d Batt. Lieut. T. Baylis to be Adjut.; Lieut. H. S. Foord to be Quarterm., Interpreter, and Paym.



**4th Batt.** Lieut. W. S. Hele to be Adjut.; Lieut. W. S. Carew to be Quarterm., Surgeon and Paymaster.

## MEDICAL APPOINTMENTS.

**Fort St. George, Sept. 16.**—Assist. Surg. A. Shedden to afford medical aid to the 32<sup>d</sup> N. I.; Assist. Surg. R. Anderson to the medical charge of the Prov. and Zillah Courts of the Collect. of Masulipatan; Assist. Surg. W. A. Hughes to the medical charge of the Collect. of Guntoor; Assist. Surg. G. Beetsom to proceed to join Lieut. Col. Fair's Brig. in Arracan; Surg. R. Sladen to be Med. Storekeeper at the Presidency.

## PROMOTION.

Assist.-Surg. J. Wylie to be Surgeon, vice Smart, dec.

## FURLONGHS.

**Fort St. George.**—Aug. 12, 1825. Assist.-Surg. R. Baikie, M. D. to Europe, for health; Capt. S. Hughes, 50th N. I. to do.—23. Lieut. Brev. Capt. G. H. Gibb, 23d N. I. to Europe, for health.—26. Capt. J. W. Moncrieff, 23d N. I. to do. for do.; Ensign W. G. Coles to do. for do.—30. Lieut. Col. J. Halsewood, 1<sup>st</sup> V. Estab., to the Cape, for one year.—Sept. 1. Lieut. J. H. Cramer, 4th N. I. to Europe, for health.—6. Lieut. Col. S. Cleaveland, of Artillery, to do. for do.; Ensign T. R. Smith, 33d N. I., to do. for do.—9. Lieut. W. Justice, 5th N. I., to do. for do.—16. Capt. R. J. Taboss, 23d N. I., to do. for do.; Surg. G. Bruce, M. D., to do. for do.—20. Col. T. Boles of the Infantry, to do. for do.—23. Capt. C. Crew, 46th N. I., to do. for do.; Lieut. T. Panton, 47th N. I., to do. for do.; Surg. R. Prince, to do. for do.; Lieut. H. F. Barker, 2d Eur. regt., to do. for do.—27. Lieut. W. Kingston, 40th N. I., to do. for do.

## BOMBAY.

## MILITARY APPOINTMENTS.

**Bombay Castle.**—Aug. 2. Lieut. G. Spence, 14th N. I., to be Adjut.—4. Capt. Adamson, 19th N. I. is placed on the Pension Establish. at his own request.—Sept. 6. Lieut. Bartlett, 17th N. I., to be Staff Officer to a Detach. ordered to Onjein on duty.—21. Lieut. Swanson, 19th N. I., to act as Assist.-Quart.-Gen. to the Goucnower Subs. Force; Lieut. R. M. Cooke to act as Adjutant to the 19th regt.

The Governor-General in Council is pleased to appoint the following officers to the Staff of the Cutch Force.—Capt. T. Leighton, Major of Brigade, to be Assist. Adjut.-Gen.; Capt. A. Morse, Assist. Quarterm. Gen., and Capt. Falconer of the Artill. Commis. of Stores, without prejudice of his com. of Foot Artill.; Capt. Waine, Sub Assist. Com. Gen.; Capt. Moore to join the Force as Paymaster; Capt. C. Payne to be Bazaar-master.

## PROMOTION.

**Bombay Castle, Aug. 20.**—2d Gren. Regt. N. I. Ensign E. Neville to be Lieut., vice Lascelles, dec.

**Bombay Castle, Aug. 4.**—Supernum. Lieut. W. Hardie is brought on the effective strength of the Artillery.

**2d Horse Troop.**—First Lieut. F. D. Watkins to be Adjutant and Quart.-Mast.

**Bombay Castle, Aug. 20.**—*Engineers.* The following officers are appointed Inspecting Engineers:—Lieut. Col. Drummond, Surat Div.; Major Dicken-son, Presid. do.; Capt. Nutt, Poonah do.; Capt. Remou, to be Superint. Engin. at Bombay; Capt. Frederick, to be Civil Engin. at do.; Capt. Tate, to be Revenue Surveyor at do.—Sept. 9. Capt. Pougat, to be Execut. Engin. in the Deccan; Capt. Waddington, to be do. do. at Surat and Broach; Lieutenant Outram to be do. do. in the Southern Concan (without prej. to his present employments); Lieut. Peat to be do. do. in the North. Dist. of Guzerat; Lieut. Grant to be do. do. in the North. Concan; Lieut. Foster to be Assist. to the do. do. in the Deccan; Lieut. Harris to be Ass. Superint. Engineer at the Pres.

## FURLONGHS.

**Bombay Castle, August 29.**—Ensign P. H. Skinner, 11th N. I., to Europe for health.—Sept. 10. Lieut. H. Stone to do. for do.

KING'S FORCES IN INDIA.

[From the Indian Gazette.]

BENGAL.

MILITARY APPOINTMENTS.

*Head Quarters, Calcutta*, July 4.—Capt. Hemming, 44th Regt., to be Dep. Judge-Advoc.-Gen. to the East Div. of the Army.—August 5. Major-Gen. I. Nicolis, C. B., to the Gen. Staff of the Pres. of Fort St. George.

MADRAS.

*Fort St. George*, Aug. 30.—Capt. H. M. Wainwright, 47th Regt. to Mil. Sec. to the officer comm. Madras troops in Ava.

BOMBAY.

*Bombay Castle*, Sept. 20.—Col. M. Napier, 6th Foot, to command Forces ordered to assemble in Cutch.

PROMOTIONS.

*Head Quarters, Calcutta*, Sept. 15.—4th Lt. Drag. Cornet G. Weston to be Lieut. without purch., v. Murray, dec.

30th Foot. T. R. Burrowes, gent., to be Ensign, v. Wilson, dec.

34th Foot. Lieut. G. Young to be Capt. of a comp. without purch., v. Hardman, dec.; Ensign Johnston to be Lieut. do.; Ensign H. C. Fraser to be Lieut. do. v. Buchanan, dec.; Ensign I. L. Boyes to be Lieut. without purch. v. Gladstones, dec.; J. D. Young, gent. to be Ensign do. do.

45th Foot. Lieut. J. Stewart to be Capt. of a comp. v. Kelly, dec.

48th Foot. Major J. Taylor to be Lieut.-Col. without purch., v. Erskine, dec.; Capt. and Brev.-Major J. T. Morissett to be Major, do.; Lieut. W. Reed to be Capt. of a comp. do.; Ensign G. D. O'Brien to be Lieut. do.

54th Foot. Ensign E. A. Slade to be Lieut. without purch., v. Fenton, dec.

67th Foot. Ensign P. Hennessy to be Lieut. without purch., v. Olpheerts, dec.; W. Hope, gent., to be Ensign, do. do.

TURLOUGHES.

*Head Quarters, Calcutta*, Aug. 1.—Lieut.-Col. Cimetiere, 48th Foot, to Europe for health; Surgeon Hamilton, 13th L. Inf., to do for do; Lieut. Kelly, 54th Regt., to do. for do.—8th. Brev.-Captain Connor, 20th Regt., to Europe on priv. aff.; Ensign Clark, 54th Regt. to do. for health, Lieut. King, 29th Regt., to do. for do.—9th Paym. Mundell 69th Regt. to do. for do.; the leave granted to Lieut. Hill, 87th Regt. is cancelled at his own request.

[From the London Gazette.]

WAR-OFFICE.

11th Lt. Drag. Cornet C. Johnson to be Lieut. by purch., v. Davis.

15th Ditto. Cornet J. G. Ogilvie to be Lieut. by purch., v. Cunynghame, prom.; T. Rensom, gent., to be Cornet; H. Elton, gent., to be do.

20th Foot. Hosp. Asst. J. Forrest M. D., to be Ass.-Surgeon, v. Rutledge.

38th Ditto. Lieut. G. Mackay to be Captain, v. Hardman, dec.; Ensign H. F. Stokes to be Lieut., v. Mackay; Thos. Maclean, gent., to be Ensign, v. Stokes.

41st Ditto. Ensign W. Childers to be Lieut., v. Russell, dec.

46th Ditto. Ensign G. Varlo to be Lieut., v. Duke, dec.; Ass.-Surgeon J. M. Mallach, M. D., from 16th Lt. Drag., to be Surgeon, v. O'Flaherty, dec.

47th Ditto. Lieut. J. Hill to be Captain, v. Parsons, dec.; Ensign J. R. Scott to be Lieut., v. Hill; T. Wyatt, gent., to be Ensign, v. Scott.

59th Ditto. Lieut. R. Sweeney, from half-pay 62d Foot, to be Lieut., v. Wm. M. Mathews, who exch.

67th Ditto. Major S. B. Taylor, from the 6th Foot, to be Major, v. Algeo, who exch.

87th Ditto. Lieut. and Adj. J. Bowes to be Captain, v. Mountgarrett, dec.—To be Lieutenants. Lieut. J. Sweeney, from the 3d Roy. Vet. Batt., v. Christian, app. to the 27th Foot; Ensign Eug. De L'Etang, v. Bowes; P. F. Blake, gent., to be Ensign, v. De L'Etang; Lieut. J. Hassard to be Adj., v. Bowes;

Lieut. I. R. Heyland, from half-pay, to be Lieut., v. H. W. Desbarres, who exchanges.

*89th Ditto* Lieut. J. McCausland, from the 3d Roy. Vet. Bat., to be Lieut., v. Harri, app. to the 24th Foot.

#### CEYLON.

##### CIVIL APPOINTMENTS.

*Colombo*, 5th August, 1825.—T. Eden, Esq. to be an additional Deputy Secy. to Govern. and Secy. to Council; C. P. P. Stewart, Esq. to be an Asst. to the Collector of the District of Colow and Putlam; H. R. Scott, Esq. to be an Asst. to the Collector of the District of Colombo.

##### PROMOTIONS.

*93d Foot*.—Lieut. W. Kelly, from 33d Foot to be Capt. by purch. v. Forster, promoted.

*Ceylon Regt.* To be 2d Lieuts D. Meaden, v. De Chair, &c.; Lieut. R. F. Fellowes, from half-pay, 2d Ceylon reg.; A. Grant, Gent.; C. White, Gent.

#### BIRTHS, MARRIAGES, AND DEATHS.

##### CALCUTTA.

*Marriages*.—Aug. 6th. Lieut. J. R. Talbot, Interp. and Quarterm., 59th N. I., to Miss S. Gillanders.—9th. R. L. C. McCutchan, Esq., to Miss E. Hollingbury.—13th. H. Marshall, Esq., 23d. Madras N. I., to Ann Maria, daughter of Major Andree, 7th. Bengal N. I.—20th. Lieut. H. C. Talbot, to Miss J. Anderson.—22d. Capt. T. Dundas, to Eliza Georg., eldest daughter of Major Bristow.—29th. G. H. Smith, Esq., C. S., to Louisa, second daughter of J. Atkinson, Esq.—Sept. 1st. Capt. A. Davidson, Asst. Polit. Agent, N. E. Frontier, to Diana, second daughter of the late B. Turner, Esq.—3d. A. D. Rice, Esq., to Jane H., third daughter of the late R. Blechynnden, Esq.—8th. R. Winter, Esq., to Mary Ann, third daughter of the Rev. Dr. Bathie, of Hammersmith, Middlesex.—J. Platt, Esq. Bengal Milit. Serv., to Charlotte, eldest daughter of J. Atkinson, Esq.

*Deaths*.—July 15th. Ensign Hutchinson, 42d. regt.—27th. Ensign W. Michell, 22d. N. I.—Aug. 8th. The lady of Mr. F. Paschoud, aged 23.—14th. C. Greenwall, Esq. aged 31.—15th. Mary Ann, daughter of Lieut. Colonel Bryant, Judge Adv. Gen.—The infant son of J. McKenzie, Esq.—16th. Maria, the infant daughter of L. J. Baretto, Esq.—21st. Capt. Dipnall, Commander of the ship, Lord Suffield, aged 31.—22d. H. Manning, Esq. C. S., aged 27.—At Fort William. Capt. W. Mountgarrett, H. M. 87th. foot.—25th. Ensign J. D. Montague.—26th. Lieut. R. Chetwode, 14th N. I. aged 25.—29th. The Rev. J. Mai ch, aged 27.—Sept. 1st. Capt. J. Campbell aged 69.—3d. Emma, wife of E. Bird, Esq., Barr. at Law, aged 21.—4th. The lady of Capt. Picard, H. M. 47th reg.—5th. Capt. T. Lyons, Pens. Establ.—8th. At the house of W. Ainslie, Esq., Miss E. Begbie, aged 19.—Lieut. Col. N. Burke, 76th N. I. Comp. 1st L. I., aged 45.—H. C. D. well, Esq., aged 30.—At Calcutta, in September, soon after the birth of her infant, the lady of Major W. S. Beaton Dep. A. Gen. of the Bengal Army, deeply regretted by a wide circle of relatives and friends.

##### MADRAS.

*Births*.—July 23d. The lady of T. M. Lane, Esq., of a son.—27th. The lady of J. T. Ansley, Esq., C. S., of a son.—The lady of Lieut. Col. J. A. Wajah, Comd. 32d reg. of a daughter.—Sept. 3d. The lady of Capt. Cranster, 30th N. I., of a daughter.—9th. The lady of F. W. Russell, Esq., of a son.—16th. at Belmont, the lady of M. Lewin, Esq. of a son.—12th. The lady of T. E. Higginson, Esq., of a son.—11th. The lady of A. Kerakoose, Esq., of a son.—The lady of D. Elliott, Esq., C. S., of a daughter.—16th. The lady of J. Goldingham, Esq., of a daughter.

*Marriages.*—July 18. V. Cornet, Esq., to Miss M. B. Festing; A. Grant, Esq., to Maria de Champ.—30th. J. W. Kinnersley, Esq., to Miss J. C. Elliott.—August 25. Capt. Williamson, 3d Lt. Inf. and D. I. A. G., to Martha, eldest daughter of Archdeacon Vaughan.—Sept. 13. The hon. H. S. Græme, 2d Mem. of Council, to Miss E. Anderson Scott, niece of W. Horsman, E.-q., Med. Serv.

*Deaths.*—August 6. The infant daughter of Lieut. S. B. Goodrick, 1st N. I.—22. Augusta Matilda, 3d daughter of the Rev. N. Wade, Senior Chaplain, Bombay.—Sept. 12. The infant daughter of Lieut. Claridge, 43d N. I.

#### BOMBAY.

*Births.*—Aug. 11. The lady of the Rev. D. Young, of a daughter.—15. The lady of Lieut.-Col. Tucker, Dep.-Adj.-Gen., of a son.—19. The lady of V. C. Kemball, Esq., of a son.—26. The lady of Capt. J. H. Dunsterville, Assist.-Com.-Gen., of a daughter.

*Marriages.*—July 12. A. J. Kerr, Esq., of Penang, to Louisa, 2d daughter of Lieut.-Col. Hough, M.D. Aud.-Gen.—Aug. 1. J. Alms, Esq., to Miss M. A. Carr; Dr. Hugh Smith, Bengal Medical Service, to Mary, 2d daughter of J. Moore, Esq., of Liverpool.—10. John Vibert, Esq., C. S., to Ann Holland, daughter of the late J. Forbes, Esq., of Over Skibo, Sutherland.—18. Captain C. S. J. Grant, to Ann-Maria, daughter of the late S. Treasure, Esq., of London.

*Deaths.*—July 6. Lieut. J. Paul, 11th N. I.—21. Caroline Jane, youngest daughter of W. C. Bruce, Esq.—28. Lieut.-Col.-Comt. T. A. Cowper, Chief Engineer, aged 45.

#### OUT STATIONS.

*Marriages.*—July 4th. At Madnapore, J. J. Harvey, Esq. C. S., to Eliza Eleanor, daughter of W. Wiggin, Esq.—29th. Saharunpore, Lieut. H. Dehude of the Engin., to Jane Ann, 2d daughter of the late Capt. W. H. Royle, H. C. S.; at Secunderabad, Lieut. and Adj. Pinson, 16th N. I., to Mrs. Cowen.—Aug. 15th. At Ranipet, Mr. T. Morris, to Sarah, 4th daughter of H. Limchu, Esq. Reven. Surveyor Cal. Div.—Sept. 1st. At Secunderabad, Lieut. R. A. Ricketts, 48th N. I., to Miss E. H. M. Langley.

*Deaths.*—June 3d. At Donibew, Lieut. J. Grube, 1st Eur. regt.—9th. At Masulipatam, Capt. F. Best, Mad. Artil.—10th. At Bencoolen, Capt. Rolfe, of the ship *La Belie Alliance*.—12th. At Arcot, Mary Ann, wife of A. F. Bruce, Esq. C. S.—22d. At Arracan, Ens. Blackburn, 42d N. I.; at do. Capt. W. Swan, Com. of the H. C. ship *Lady Macnaghten*.—21th. At Arracan, Mr. Ass. Surg. Wilson, Beng. Artil.—26th. At Manantoddy, Lieut. E. Newton, 11th N. I.—July 7th. At Pondicherry, A. Dulacrens, Esq. Member of Council of that Settlement; at Arracan, Mr. Corner, Ch. Offic. of the bug *Colonel Young*; Co. Capt. Bowring, Commanding do.—At Mangalore, Mr. H. Graig.—13th. At Pondicherry, Mr. Aime de Lascelles, 2d in Council of that place.—16th. At Prome, Capt. H. Parsons, H. M. 47th regt.—19th. At Arracan, Capt. A. Bannerman, 20th N. I. and Ass. Com. Gen.—20th. At Wallajabad, Mary Ann, the lady of Maj. Siehelen, H. M. 41st.; at Arracan, Lieut. R. J. Birch, Sub. Ass. Com. Gen., aged 25; at the Neelgher v Hills, Mr. W. Cameron; at Mahatee, near Arracan, Capt. Randall, 16th Mad. N. I.—21st. At Poonah, Lieut. C. D. Blackford, Adj. Hor. Artil., aged 31; at Surat, the infant son of J. Taylor, Esq. C. S.—23d. At Arracan, Mr. Grahame, of the Com. Depart.—26th. At Bhoogh, the infant daughter of Capt. W. H. Waterfield, 13th N. I.—27th. At Echaadah, Lieut. E. Harris, 8th L. C., and Ass. in the Q. M. Gen. Depart.; at Berhampore, J. T. Anstey, Esq.—28th. At Cawnpore, the infant daughter of Capt. R. Hume.—31st. At Bycullah, the infant son of the Rev. J. Nicols.—Aug. 1st. At Nagpore, the lady of G. Adams, Esq. Surg. Mad. Est.—2d. In the Fort of Belgaum, Capt. C. Warre, of the Artil., in charge of the Hor. Brig.—3d. At Tellicherry, the infant son of T. Crawford, Esq.; at Coimbatore, Capt. J. G. Proby, of the Engin.—4th. At Rajcoote, Lieut. J. G. Lascelles, 2d Gren. N. I.; at Decca, H. W. Money, Esq. Collect. of Gov. Customs and Town Duties.—5th. At Seroor, the infant daughter of Capt. Sykes.—8th. At Kaira, the infant son of Capt. Roe, Com. 4th Ex. Butt.—15th. At Secu-

derabad, Ens. Wilson, H. M. 30th regt.; at Pondicherry, Mary Laura, 3d daughter of Lieut.-Col. Warren.—18th. At Bimlipatam, J. Suter, Esq.—19th. At Nagpore, the infant daughter of Lieut.-Col. F. Whish Wilson; at Roza, the infant daughter of J. R. Alexander, Med. Est.—20th. At Negapatam, J. Smart, Esq. M. P.—23d. At Barceilly, R. J. M., eldest son of W. F. Dick, Esq. C. S.; on board the *William Money*, Lieut. G. B. Greene, 1st Eur. regt., and Dep. Ass. Com. Gen.—28th. At Surat, Juliaua Eliz. eldest daughter of J. Vibert, Esq.—30th. At do., Ellen, 2d daughter of J. Vibert, Esq.; at Cambay, the infant daughter of Lieut. W. Reynolds.—Sept. 1. At Mazagon, Robert, son of Capt. J. Key, Com. of the ship *Elizabeth*.—2d. At Baroda, Charles R., son of the Rev. R. W. Keays.—3d. At Mangalore, Jane M., daughter of Capt. Locke, 50th N. I.—5th. On board the *Boyne* A. S. Ponton, Esq. aged 28.—10th. At Travancore, the infant son of Capt. R. Gordon, Bomb. Engin.—17th. At Samulcottah, the infant son of Lieut. Minardere.—23d. At Trichinopoly, the infant son of A. Pippin, Esq. Garr. Surg.

## EUROPE.

*Births*.—Jan. 7. The lady of Major P. Dunbar, H. C. S. of a daughter.—February 4th. In Weymouth street, Portland-place, the lady of Capt. H. S. Montague, late of the Bengal Army, of a son.

*Deaths*.—Jan. 6th. Mrs. S. Keighly, widow of the late J. J. Keighly, Esq. Bengal C. S.—10th. Major J. Harding, formerly of the Bombay Mil. Serv.—20th. D. W. Ruddiman, Esq. formerly of the H. C. S.—At Ty-Gwynne, near Swansea, Margaretta Maria, relict of the late Gen. Arch. Campbell.—Feb. 1. At Ramsgate, Emma, wife of W. Chaplin, Esq. Madras, C. S.—6th. Mr. J. Turbull, formerly in the Naval Service of the H. C.—10th. T. Brown, Esq. of the India House.—At Kennington, Mr. T. Evans of the E. I. C. Bengal Warehouse. —13th. At Woolwich, Lieut. L. B. Willford, 45th Madras, N. I. aged 24.—At Bainton, Mrs. Dixon, relict of J. Dixon, Esq. of Calcutta.—19th. At Earl's Court, Brompton, G. Baldwin, Esq. late H. M. Consul, General in Egypt.—21. At Cheltenham, Capt. W. J. Hamilton, late of the Bombay Marine.

## COMMERCIAL INTELLIGENCE.

## CALCUTTA.—SEPTEMBER 19, 1825.

## Government Securities, &amp;c.

Buy ]	Rs. As.		Rs. As.	[Sell.
Premium	27 8	Remittable Loan 6 per cent.	18 0	Premium
Discount	3 0	4 per Cent. Loan . . . . .	4 0	Discount
Ditto	1 0	5 per Cent. Loan . . . . .	3 8	Ditto.
3 Disc.	{	From No. 1 to 320 of the 5 per cent. Loan	{	4 per cent. Disc.
		— No. 320 to 1040 of ditto		
		— No. 1041 to 1440 of ditto		
		— No. 1441 to the last No. issued		

## BANK OF BENGAL RATES.

Discount on Private Bills . . . . .	Sa. Rs. 8 0
Do. of Government Ditto . . . . .	7 0
Ditto of Salony Ditto . . . . .	7 0
Interest on Loans on Deposit of Company's Paper for 2 months fixed . . . . .	7 0

## RATES OF EXCHANGE

On London, 8 months sight, 2s. 1d. per S. R.  
 Madras, 30 days 94 a 98 S. R. per 100 Madras Rupees.  
 Bombay, Ditto 98 . . . S. R. per 100 Bombay ditto.

## MADRAS.—OCTOBER 4.

## Government Securities, &amp;c.

Remittable . . . . .	24 Prem.
Old 5 per cent. . . . .	2 Disc.
New ditto . . . . .	1 Ditto

Exchange, 1s. 10½d. per Rupee.

## SHIPPING INTELLIGENCE.

## ARRIVALS FROM EASTERN PORTS.

<i>Date.</i>	<i>Port of Arrival.</i>	<i>Ship's Name.</i>	<i>Commander.</i>	<i>Place of Depart.</i>	<i>Date.</i>
1826.					1825.
Jan. 30	Off Isle of Wight	Isabella ..	Wallis ..	Bengal ..	July 19
Feb. 3	Off Dover ..	Jonge-Adrian ..	Boon ..	Batavia ..	Oct. 3
Feb. 6	Off Margate ..	Recovery ..	Chapman ..	Bombay ..	Sept. 21
Feb. 7	Off Dover ..	Potomac ..	Norris ..	Batavia ..	Aug. 17
Feb. 9	At Cowes ..	United States	Hutchings ..	Batavia ..	Aug. 30
Feb. 11	Off Portsmouth	Asia ..	Pope ..	Bombay ..	Sept. 6
Feb. 13	Off Portsmouth	Hope ..	Fint ..	Calcutta ..	Aug. 21
Feb. 15	Off Portsmouth	Rockingham ..	Beach ..	Bengal ..	Sept. 4
Feb. 16	At Cowes ..	Batavia ..	Bhair ..	Batavia ..	Sept. 24
Feb. 18	At Cowes ..	Chesapeake ..	Gross ..	Batavia ..	Aug. 21
Feb. 21	Downs ..	Malcolm ..	Eyles ..	Madras ..	Oct. 16
Feb. 23	Downs ..	Orpheus ..	Finlay ..	Mauritius	Nor. 20
Feb. 23	Falmouth ..	Hene ..	Foreman ..	Cape ..	Dec. 18

## ARRIVALS IN EASTERN PORTS.

<i>Date.</i>	<i>Port of Arrival.</i>	<i>Ship's Name.</i>	<i>Commander.</i>	<i>Port of Depart.</i>
1825.				
June 2	St. Helena ..	Magnet ..	Todd ..	Bombay
June 17	Bombay ..	Altied ..	Lamb ..	China
Aug. 31	Bombay ..	Simpson ..	Simpson ..	London
Aug. 31	Bombay ..	Calcutta ..	Sirogan ..	Liverpool
Sept. 4	Bombay ..	Gloriozo ..	Pateison ..	Bengal
Sept. 8	Madras ..	Wm. Miles ..	Beadle ..	London
Sept. 10	Madras ..	Coldstream ..	Hall ..	London
Sept. 10	Madras ..	Madras ..	Black ..	Bourdeaux
Sept. 13	Bengal ..	Pr. Charlotte of W.	Biden ..	London
Sept. 13	Bengal ..	Lady Flora ..	Macdonnell ..	London
Sept. 15	Bengal ..	Gulldford ..	Johnson ..	London
Sept. 15	Madras ..	Wood ord ..	Chapman ..	London
Sept. 16	Bombay ..	Bombay Castle ..	Durant ..	China
Sept. 18	Bengal ..	Eliza ..	Sutton ..	London
Sept. 29	Madras ..	Broxbo-nebny ..	Fewson ..	London
Oct. 2	Penang ..	Jupiter ..	Young ..	London
Oct. 11	Madras ..	Commodore Hayes	Mouchief ..	London
Oct. 15	Penang ..	Spring ..	Hackman ..	London
Oct. 21	Bombay ..	Britannia ..	Boucher ..	London
Oct. 21	Bombay ..	Cambridge ..	Barson ..	London
Oct. 21	Bombay ..	Dorothy ..	Garnock ..	Liverpool
Oct. 21	Bombay ..	Lady Kennaway ..	Smitten ..	London
Oct. 24	St. Helena ..	Bombay Castle ..	Durant ..	Bombay
Dec. 11	Cape ..	Marquis Wellesley	Coulson ..	London
Dec. 11	Cape ..	Fairlie ..	Short ..	London
Dec. 13	St. Helena ..	Asia ..	Pope ..	Bombay
1826.				
Jan. 8	Madeira ..	Fortune ..	Gilkeson ..	London
Jan. 14	Madeira ..	Castle Forbes ..	Oid ..	Portsmouth
Jan. 17	Madeira ..	Claydon ..	Rose ..	Portsmouth

## DEPARTURES FROM EUROPE.

<i>Date.</i>	<i>Port of Depart.</i>	<i>Ship's Name.</i>	<i>Commander.</i>	<i>Destination.</i>
1826.				
Feb. 8	Portsmouth	Cyrene (H.M.S.)	Campbell ..	Cape Rio & Madras
Feb. 9	Off the Wight	Dunira ..	Hamilton ..	Bengal and China
Feb. 9	Deal	Barbara ..	Collicott ..	Cape
Feb. 9	Deal	Oliver Branch ..	Anderson ..	Cape
Feb. 10	Off the Wight	Macqueen ..	Walker ..	Bengal and China
Feb. 10	Deal	Morning Star ..	Boekham ..	Ceylon
Feb. 13	Falmouth ..	Earl of Balcarrais	Cameron ..	Bengal and China
Feb. 21	Portsmouth	Juliana ..	Innes ..	Bengal

## SHIPS SPOKEN WITH AT SEA.

Date.	Lat. and Long.	Ship's Name.	Commander.	P. of Depart.	Destination.
1825.					
Sept. 13	14 44 N. 27	Augusta	.. Anderson	.. Antwerp	Batavia
Oct. 6	— —	Sealeby Castle	Newell	.. Bengal	Malacca, or China
Dec. 4	21 S. 31	Joseph	Christopherson	London	.. Bengal
Dec. 21	2 N. 20	Exmouth	.. Owen	.. London	.. Bombay
1826.					
Jan. 1	2 55 N. 20 50 W.	Ganges	.. Boulton	.. London	.. Madr. & Beng.
Jan. 12	2 N. 21 W.	Perseverance	Bist	London	.. Bengal

## NAUTICAL INCIDENTS.

The brig *Ariel*, from Columbo, parted her cable, and was wrecked in Vizagapatam Roads on the 3d of September; one of her crew drowned, and a considerable part of her cargo washed on shore.

The bark *Mentor*, Captain Ross, from Bourbon to Batavia, was upset in a violent squall on the 26th of January, in lat. 4. 37. S., lon. 99½. E., and the crew, forty in number, all perished, with the exception of Mr. Dameste, an American, and five Javanese, who, after being seven days in the long boat, without eat or sail, bread or water, drifted ashore near Batavia, in Sumatra. The Europeans lost were, Captain Ross, Mr. Carol, of Batavia, Mr. Filpot, and Mr. Wierman, the mate.

The *Royal Charlotte*, Captain Corbyn, from New South Wales to Bengal, is reported to be lost; and part of the crew it is feared were drowned.

Mr. Burgess, an enterprising British merchant of Batavia, has built a steam-boat of 130 feet keel, with two engines of 10-horse power each; and it is believed that steam navigation, now coming into play in the Eastern seas, will be more safe, easy, and extensively useful there, than in any other quarter of the world.

## GENERAL LIST OF PASSENGERS.

## PASSENGERS HOMELWARDS.

By the *Asia*, Pope, from Bombay:—Mrs. Keys, and three children; Captain Binning; and Mr. Philip Skinner.

By the *Reverera*, Chapman, from Bombay:—Mr. J. Leckie, merchant; Miss Leckie; Miss E. Leckie; Major Elder; Captain Clayhills; Lieut. Stone; and J. Rue, Esq.

By the *Hope*, Flint, from Calcutta:—Mrs. Belli, and Mrs. W. H. Belli, left at the Cape; Lady Grey; Mrs. Webster; Mrs. Crewe; Mrs. Coates; Miss Wallis; Lieut.-Col. Webster, 1st Madras N. I.; Lieut.-Col. Cleveland, 1st Madras Artillery; Capt. Crewe, 46th Madras N. I.; Capt. Bruce, Med. Store-keeper; Lieut. Ellis, H. M. 13th Lt. Drag; Lieut. Knox, H. M. 46th Foot; Quart.-Mast. Coates, 54th Regt.; Lieut. Justice, 5th Madras, N. I.; Lieutenant Pantou, 46th; Lieut. Scott, 43d.; and C. R. Jackson R.N.

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